Clearinghouse Review

NATIONAL CLEARINGHOUSE FOR LEGAL SERVICES, INC.

ANNUAL INDEX

VOL. 22

MAY 1988

TO

APRIL 1989

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The Clearinghouse Review
Published by
National Clearinghouse for Legal Services, Inc.
407 South Dearborn, Suite 400
Chicago, Illinois 60605
(312) 939-3830

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The Clearinghouse encourages submission of articles from legal services field staff and others. Manuscripts should be typewritten, double-spaced, with the footnotes double-spaced at the end of the article. Articles intended for the Management of Legal Services section should be sent to the Management Department Editor, National Clearinghouse for Legal Services, Inc., 407 South Dearborn, Suite 400, Chicago, IL 60605.

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COVER PHOTO: MARTHA TABOR

Annual Index
Clearinghouse Review
Volume 22

Monthly Issues	*Pages*
May 1988	1-110
June 1988	111-216
July 1988	217-332
August/September 1988	333-440
October 1988	441-582
November 1988	583-722
December 1988	723-862
January 1989	863-1058
February 1989	1059-1216
March 1989	1217-1350
April 1989	1351-1470

How to Use This Index

This index represents a topical categorization of all Case Developments, Advance Sheet Highlights, articles, columns, and Federal Register Highlights that have been reported in the *Clearinghouse Review* during its 22d volume year, May 1988 through April 1989.

The Casetable lists all cases reported in either the Case Developments or Advance Sheet Highlights sections of the *Review* in alphabetical order. For each case, the following information is provided: the Clearinghouse Number, in brackets; the Accession Number(s), in numerical order; any case citations or date of decision, reported with the most recent citation last; and the page number(s) of the *Review* on which the case appears. The Topical Index classifies all cases reported in the Case Developments and Advance Sheet Highlights sections of the *Review*. Most headings contain *see* and *see also* references directing readers to other major subject headings for information on that topic. Within each major heading, the cases listed are divided into subtopics, often spanning two or more levels of categories representing the most specific issues covered by that case. Users are advised to search the categorical sections, and then to refer to the Casetable for more detailed information.

The Articles and Columns sections of this index list articles and columns published in the *Review* by author name and by topic. This year's Articles and Columns topical index also contains short summaries of all articles and columns indexed. The Federal Register Highlights section lists items under major headings only. Items are listed alphabetically within each category and include the page numbers on which the items appear. For comprehensive research, readers are advised to use this index in conjunction with the Cumulative Index to volumes 1-17 of the *Clearinghouse Review* and the Annual Indexes to volumes 18, 19, 20, and 21.

Acknowledgments

The Clearinghouse is pleased to publish the Annual Index to Volume 22. Readers are reminded to use this Index in conjunction with the Cumulative Index to Volumes 1-17, the Annual Index to Volumes 18, 19, 20, and 21, and the LSC Data Base maintained on the Westlaw computer system for comprehensive research into Clearinghouse case files. In addition, please feel free to call for library assistance and/or to request a free Electronic File Room (EFR) search of the Clearinghouse internal computer system.

Cases in Volume 22 are all online and searchable at the Clearinghouse. To request an EFR search, use the toll-free numbers (1-800-621-3256; within Illinois, call collect 1-312-939-3834). Please specify that you are requesting a free search, since the toll-free numbers are also used for Westlaw and Dialog requests, which are not free, and for document orders. You will receive a copy of the abstracts retrieved, and copies of the documents clearly on point. (Programs not funded by LSC or AoA must pay the usual photocopying and postage charges for documents described on the order form in this Index—see the inside back cover.)

The *Clearinghouse Review* index editor is John Blaser, who also does copy editing for the *Review* and other Clearinghouse publications. Special thanks are due to John for his extra efforts to make sure that the index is as accurate as possible, and for producing typeset pages on our Ventura desktop publishing equipment. Producing the index is a year-round project, and John has already begun work on the Volume 23 Index.

Special thanks are due to Mary Petruchius for special services as editorial assistant, proofreader, and systems and data consultant. Michelle Nicolet, Bob Serafin, and Susan Sebok assisted with Ventura. Thanks are also due to secretary Pat Gordon, for typing index entries into the Clearinghouse computer; to law clerk Kathleen Ulbert, for editorial assistance and final cleanup; and to Gary Baldwin for cover design. We also appreciate the efforts of the rest of the Clearinghouse staff who made suggestions and helped in other ways. On a technical note, appreciation is due to Charles Sutherland of E.T. Lowe Publishing Co., Nashville, Tennessee, for converting our desktop output to photo-typeset quality.

Our annual indexes are crucial to your legal research, and they make all of the monthly issues more useful. If you have suggestions and comments on ways to improve the Index, please write or call.

Lucy Moss
Assistant Director

Contents

Articles and Columns 3
Author Index 3
Topical Index 5
Federal Register Highlights 13
Topical Index 23
Abortion 23
Administrative Law 23
Adoption 24
Aid to Families with Dependent Children 24
Aliens 27
Attachment 28
Attorney Fees 28
Attorneys 31
Automobiles 31
Bankruptcy 31
Birth Control 32
Black Lung Benefits 32
Civil Procedure 33
Civil Rights 37
Class Action 37
Community Development 38
Consumer 38
Contracts 40
Criminal Law and Procedure 40
Day Care 41
Dependent and Neglected Children 42
Divorce 43
Domestic Relations 45
Driver's License 47
Due Process 47
Economic Development 48
Education 48
Elections 49
Employment 51
Employment Discrimination 51
Energy 54
Environmental Law 54
Equal Protection 54
Evidence 54
Food Programs 55
Freedom of Information 56
Garnishment 56
Government 57
Handicapped Persons 57
Health 59
Hill-Burton Act 60
Housing 61
Illegitimate Children 68
Immigration 68
In Forma Pauperis 68
Insurance 69
Judges 70
Juries 70
Juvenile Courts 70
Juvenile Institutions 70
Juveniles 70
Language Discrimination 70
Legal Services 71
Liens 71
Medicaid 71
Medical Assistance Programs 73
Medicare 74
Mental Health 75
Migrants 76
Military 77
Municipal–Government Services 79
Native Americans 79
Paralegals 81
Pardon and Parole 81
Pensions 81
Prisons 81
Privacy 85
Probate 85
Public Transportation 85
Public Utilities 85
Railroad Retirement Plan 85
Relocation 85
Repossession 85
Rural Issues 85
Senior Citizens 86
Social Security Programs 87
Supplemental Security Income 92
Taxes 95
Truth in Lending 95
Unemployment Compensation 96
Urban Renewal 99
Welfare 99
Women's Rights 101
Worker's Compensation 102
Zoning 102
Casetable 102
Order Form 141

ARTICLES & COLUMNS
AUTHOR INDEX

Bergmark, Martha
See National Legal Aid and Defender Association

Besharov, Douglas J.
How Child Abuse Programs Hurt Poor Children: The Misuse of Foster Care 219

Bonnyman, Gordon
Medicaid Eligibility in a Time Warp 120

Boundy, Kathleen B.
See Weckstein, Paul; Jackson, Shelly

Bowers, Susan
See Roberts, Paula

Calhoun, Michael D.
See Ratliff, Alice A.

Center on Social Welfare Policy and Law
Protecting the Filing Date of AFDC Applications 134
Quality Control in Public Assistance: Victimizing the Poor Through One-sided Accountability 1381
Welfare Law in 1988 897

Clarke, Christina
HHS Issues New Regulations on Interstate Child Support Services for IV-D Clients 228
See also Roberts, Paula

de la Vega, Connie
Using International Human Rights Law in Legal Services Cases 1242

Deford, Gill
Pierce v. Underwood: Has the Supreme Court Unleashed the EAJA? 588
Pittston Coal Group v. Sebben: What Is the Significance, If Any, for Social Security Class Actions? 1407

DeWolfe, Ruthanne
Our Jails Runneth Over: Prison Law 1988 994

Dreis, David
Alcohol and Drug Abuse as a Basis for a Finding of Disability Under the Social Security Act: An Advocate's Perspective 1218

Engler, Russell
See Marcuse, Peter; Rasmussen, Raun

Esterle, Mark D.
Parental Kidnapping Prevention Act: Troubles Under *Thompson* 584

Farmers' Legal Action Group
Bankruptcy Development: Recent Case Law 127

Foehrenbach, Josie
Preparing for Learnfare: Setting the Conditions for a Questionable Experiment 1060

Furrh, Paul E.
The Role of the Board of Directors in Legal Services Programs 1275

Giloth, Bob
Finding Investment Dollars for Affordable Housing 455

Greco, Michael S.; Miller, Cleaveland D.
Time and/or Money: Should Lawyers Be Allowed to "Buy Out" of Their Pro Bono Obligation? 950

Hauhart, Robert C.
Managing a Prisoners' Legal Aid Office 468
Organizing a Prisoners' Legal Aid Office 335

Herman, Amy
Not Just a Job: Career Development Systems and Legal Services 353

Hough, Elizabeth S.
See Williams, James M.

Hurley, Ellen; Pack-Rayman, Nancy; Wilson, Sally Hart
The Medicare as Secondary Payer Program: New Cost-Containment Measures Present Questions of Fairness 3

Jackson, Shelly
See Weckstein, Paul; Boundy, Kathleen B.

Linder, Marc
The Involuntary Conversion of Employees into Self-Employed: The Internal Revenue Service and Section 530 14

Marcuse, Peter; Rasmussen, Raun; Engler, Russell
Off-site Displacement: How the Changing Economic Tide of a Neighborhood Can Drown Out the Poor 1352

Mason, Mary
See Roberts, Paula

McHugh, Rick
Basics of the Plant Closing Notification Law 932

McWilliams, Valerie
Retroactive Relief in Food Stamp Litigation: Why the Eleventh Amendment Is Not a Bar 113

Mental Health Law Project
Mental Disability Law: 1988 966

Migrant Legal Action Program
Farmworker Law Developments in 1988 1030

Miller, Cleaveland D.
See Greco, Michael S.

Morales, James
Creating New Housing Opportunities for Families with Children: The Fair Housing Amendments Act of 1988 744

National Center for Immigrants' Rights
Legalization Enters Second Phase 614

National Center for Youth Law
Youth Law Developments in 1988 887

National Center on Women and Family Law
Challenges Facing Legal Services in the 1990s: Perspectives of Women and Family Law Advocates 457
The Impact of the Family Support Act of 1988 on Family Law Practice 1098

National Consumer Law Center
Consumer and Energy Law Developments 877
Consumer Law for Housing Lawyers 1269
Oil Overcharge and Percentage-of-Income Plan Developments 146
Quicker Access to Government Benefit Funds 1102
Utility Disconnections as a Tort: Gaining Compensation for the Harms of Unlawful Utility Shutoffs 609

National Health Law Program
Dispensing with the Dispensable: Rule 19 Motions in Medicaid Cases 488
Health Benefits: How the System Is Responding to AIDS 724
Health Care for the Poor in 1988 981
Living in a Land of Confusion: Health Care Litigation and the Eleventh Amendment 1114
Medicaid Primary Care Case Management Update 348
Obtaining Information from HHS 1401
States Take the Lead in Preventing Patient Dumping 136
Tax Exemptions for Health Care Facilities: Charity Care Enters the Picture 247
Undocumented Aliens and Emergency Care 619

National Housing Law Project
1988 Developments in Federal Housing Law 866
Implied Private Rights of Action: Progress on the Road Back from Chaos 143

National Legal Aid and Defender Association
Future Challenges: A Planning Document for Legal Services 628

National Legal Center for the Medically Dependent and Disabled
Medical Treatment for Older People and People with Disabilities 1005
Recent Developments in the Law Governing Medical Treatment for Older People and People with Disabilities 31

National Senior Citizens Law Center
Discharge Planning: Promises and Realities 480
Elderly Poor: 1988 954
ERISA Basics for Legal Services Providers 604
Financing Expanded Medicare Benefits Under the Medicare Catastrophic Coverage Act of 1988 1393
Spousal Protections and Transfer of Assets Penalties Included in Catastrophic Law 752
To Defer or Not to Defer: In Many Cases, That is the Question 252
Untender Mercies: Layoffs and the Older Worker 1104

1987 NLADA Conference
Management of Legal Services 255

Pack-Rayman, Nancy
See Hurley, Ellen; Wilson, Sally Hart

Peak, Margaret
See Perkins, Jane

Perkins, Jane; Peak, Margaret
The Supreme Court's 1989 Term: Business as Usual? 1042

Pressman, Robert
Developments in State and Federal Courts Regarding Discipline, Abuse of Students, and Searches 1265

Rasmussen, Raun
See Marcuse, Peter; Engler, Russell

Ratliff, Alice A.; Calhoun, Michael D.
Use of Last Resort Housing Benefits and Redevelopment Powers to Preserve a Low-Income Community Threatened with Displacement 442

Roberts, Paula
Child Support and Beyond: Mapping a Future for America's Low-Income Children 594

Roberts, Paula; Bowers, Susan
Patching the Crack in the Floor: Strategies for Expanding the Minimum Wage 23

Roberts, Paula; Clarke, Christina
Child Care and Low-Income Families 233

Roberts, Paula; Mason, Mary
Promises, Promises: Child Support Enforcement in 1988 909

Robinson, Harriet
Managing Training Records With (or Without) a Personal Computer 757

Sard, Barbara
The Role of the Courts in Welfare Reform 367

Sheldon, James R., Jr.
Work Incentives for Disabled Persons Under the Social Security and SSI Programs 1074

Stokley, Janette E.
Women Housing Women: The Women's Community Revitalization Project 937

Sun, Myra
1988 Review of Family Law 940

Tschappat, Deb
Home-Grown Videos 149

Viviano, Mary Coffman
Recruiting Public Interest Attorneys 358

Weckstein, Paul; Boundy, Kathleen B.; Jackson, Shelly
Developments in Education Law in 1988 1018

Werner, Frances E.
Requiring Just Cause for Eviction from Private Housing: A Survey of Litigation Strategies and Legislative Approaches 1088

Williams, James M.; Hough, Elizabeth S.
1988 Employment Law Developments 920

Willrich, Penny L.
Resolving the Legal Problems of the Poor: A Focus on Mediation in Domestic Relations Cases 1373

Wilson, Sally Hart
See Hurley, Ellen; Pack-Rayman, Nancy

ARTICLES & COLUMNS
TOPICAL INDEX

ATTORNEYS/LEGAL SERVICES

Challenges Facing Legal Services in the 1990s: Perspectives of Women and Family Law Advocates 457
This selection of papers by current and former legal services staff, excerpted from a collection solicited by NCWOFL, relates some of the "herstory" of legal services, identifying problems within legal services, identifying the major issues facing poor women, and proposing new approaches to these problems and issues.

Future Challenges: A Planning Document for Legal Services 628
This article explores the role of legal services advocacy within the legal profession, suggests improvements to satisfy fundamental elements of an effective delivery system, and proposes an agenda to assess and improve poverty law advocacy. This document is the result of a planning process jointly sponsored by NLADA and PAG.

Management of Legal Services 255
In "New Funding for Legal Services," based on remarks made at the 1987 NLADA Conference, Jonathan Stein, Charles Hulin, Jo Ann Smith, Allan Rodgers, and Sheldon Roodman discuss new sources of funding, often state-supported, for local legal services programs.

Managing a Prisoners' Legal Aid Office 468
This article, the second in a two-part series, discusses daily operational procedures for a prisoners' legal services office and describes mechanisms for monitoring program effectiveness and motivating program personnel.

Managing Training Records With (or Without) a Personal Computer 757
A systematic approach to recordkeeping will help the training-responsible person manage information about multiple training events, store information efficiently when there is little space, gain access to information efficiently, and maintain records that are easy to transfer from a manual system to a computerized system.

Not Just a Job: Career Development Systems and Legal Services 353
This month's Training Column explains what career development is and outlines some of the roles legal services trainers can play in implementing career development systems.

Organizing a Prisoners' Legal Aid Office 335
In the last two decades, legal assistance programs directed specifically toward prisoners have increasedin both size and number; this article, the first in a two-part series, discusses the considerations that should form part of any plan to institute and organize a legal services program for prisoners.

***Pierce v. Underwood:* Has the Supreme Court Unleashed the EAJA?** 588
The Supreme Court's decision in *Underwood* suggests that district court judges may feel less constraint in awarding EAJA fees and that the government may ultimately be discouraged from consistently appealing fee awards.

Recruiting Public Interest Attorneys 358
Many legal services employers have begun devoting more time and consideration to their recruitment efforts, and a couple in particular have come up with some novel and practical solutions.

Resolving the Legal Problems of the Poor: A Focus on Mediation in Domestic Relations Cases 1373
This article discusses the use of mediation in domestic relations matters, including discussion of the differences and similarities between conciliation, arbitration, negotiation, and mediation, and offers perspectives that may be used as tools by legal services advocates.

The Role of the Board of Directors in Legal Services Programs 1275
This management column is a guide for evaluating the board of directors' role and functions, including accountability to clients, the sanctity of the attorney-client relationship, board size and composition, board functions, and board training.

Time and/or Money: Should Lawyers Be Allowed to "Buy Out" of Their Pro Bono Obligation? 950
Michael S. Greco, past-president of the Massachusetts Bar Association and the New England Bar Association, and Cleaveland D. Miller, past-president of the Maryland State Bar Association, offer differing points of view on whether contributing money to legal services delivery organizations, in lieu of delivering services, is "buying out" of a pro bono obligation.

Using International Human Rights Law in Legal Services Cases 1242
This article provides an introduction to international human rights law and suggests areas in which it may prove useful to legal services advocates. Among these areas are the expansion of human rights under state or federal law, women's rights, and economic rights.

BANKRUPTCY

Bankruptcy Development: Recent Case Law 127
This column, the second in a series, addresses the new Chapter 12 bankruptcy statute for family farmers and focuses on the eligibility requirements for Chapter 12 relief.

CIVIL PROCEDURE/ ADMINISTRATIVE LAW

To Defer or Not to Defer: In Many Cases, That is the Question 252
Legal services advocates must regularly confront the question of deference to the agency; however, advocates should not simply assume that they must litigate against federal agencies with the inherent disadvantage of the court deferring to the agency, because there are discrete situations in which little or no deference is owed.

CIVIL RIGHTS

Developments in State and Federal Courts Regarding Discipline, Abuse of Students, and Searches 1265
This column discusses several recent cases challenging disciplinary actions, including outrageous discipline practices and other abuse, and discusses school searches and the aftermath of *New Jersey v. T.L.O.*

The Supreme Court's 1989 Term: Business as Usual? 1042
The Supreme Court's calendar for its 1989 term contains may cases of interest to the legal services community; this article reviews cases highlighted for the Court's scrutiny involving civil rights, family law, employment discrimination, drug testing, health care, social security, governance of Indian land, and prisoners' rights.

Using International Human Rights Law in Legal Services Cases 1242
See ATTORNEYS/LEGAL SERVICES for article summary.

COMPUTER & RESEARCH NEWS

Computer Search Results 43, 155, 264, 360, 501, 645, 773, 1118, 1284, 1411
The results of computer searches performed by the Clearinghouse Computer-Assisted Research (CCAR) project. These results are available to LSC-funded programs free of charge and can be ordered using the number following the description of the results in the *Clearinghouse Review*, in the same manner as any other Clearinghouse document.

CONSUMER

Consumer and Energy Law Developments 877
In consumer law in 1988, the concepts of unconscionability and unfairness were strengthened, as were consumers' rights in repossessions; developments in energy law included continued cuts in federal low-income energy assistance, while oil overcharge monies neared an end.

Consumer Law for Housing Lawyers 1269
This column, the first of a series to present consumer laws that can be used by housing lawyers, addresses home mortgage scams.

Oil Overcharge and Percentage-of-Income Plan Developments 146
The National Consumer Law Center recently surveyed states on their spending of oil overcharge funds and sponsored a conference to discuss continuing development of percentage-of-income payment plans around the country.

Quicker Access to Government Benefit Funds 1102
Under the Expedited Funds Availability Act, and Federal Reserve Board regulations interpreting the Act, depository institutions can no longer place lengthy holds on deposited funds.

DOMESTIC RELATIONS

Child Care and Low-Income Families 233
Unless subsidized day care is provided, low-income parents cannot finish their education, enter training programs, or take jobs without jeopardizing the welfare of their children; this article describes efforts to increase the availability of affordable child care and to link development of child care resources to a community economic development strategy.

Child Support and Beyond: Mapping a Future for America's Low-Income Children 594
This article explores the long-term strategy of moving toward a system of state-guaranteed child support for single-parent families and eventually to a universal system of children's allowances.

HHS Issues New Regulations on Interstate Child Support Services for IV-D Clients 228
The Office of Child Support Enforcement has issued new regulations clarifying initiating and responding states' responsibilities in referral and processing of interstate IV-D services, requiring establishment of a central registry within each state IV-D agency, and clarifying responsibility for payment for blood tests and certain other processing costs.

The Impact of the Family Support Act of 1988 on Family Law Practice 1098
The Family Support Act will make a few significant changes in day-to-day family law practice; this article reviews some of the practical and impact issues associated with the Act's provisions relating to child support.

1988 Review of Family Law 940
The Baby M case, decided in 1988, represents one of the most important developments in family law, not only for its holding, but also for its analysis, which may have a significant impact on ordinary custody disputes; other family law developments include successes by battered women in maintaining actions against police officers who fail to respond in domestic violence cases, state law developments regarding the marital rape exemption, and federal legislation regarding child support enforcement.

Parental Kidnapping Prevention Act: Troubles Under *Thompson* 584
In *Thompson v. Thompson*, the Supreme Court ruled that the federal Parental Kidnapping Prevention Act

(PKPA) does not imply a cause of action for federal courts to intervene in interstate custody actions; this article explores the background and provisions of the PKPA, the controversy created over whether federal courts should intervene in interstate custody actions, and the Supreme Court's decision in *Thompson*.

Promises, Promises: Child Support Enforcement in 1988 909
The Family Support Act of 1988 expanded on initial child support enforcement efforts begun in 1984; however, substantial work remains to be done to ensure that locating absent parents, establishing paternity, and securing and enforcing support orders actually occurs, and attention needs to be focused on ensuring that low-income obligors are treated fairly.

Resolving the Legal Problems of the Poor: A Focus on Mediation in Domestic Relations Cases 1373
See ATTORNEYS/LEGAL SERVICES for article summary.

ECONOMIC DEVELOPMENT

Women Housing Women: The Women's Community Revitalization Project 937
This case study describes how women in the Kensington neighborhood of Philadelphia organized a nonprofit, community-based organization that is rehabilitating rental housing for very low-income families headed by women.

EDUCATION

Developments in Education Law in 1988 1018
In 1988, the federal Chapter 1 compensatory education program was revised to emphasize instructional quality and parental involvement; in addition, the new federal welfare law raises many education issues.

Developments in State and Federal Courts Regarding Discipline, Abuse of Students, and Searches 1265
See CIVIL RIGHTS for article summary.

EMPLOYMENT

Basics of the Plant Closing Notification Law 932
This article describes the recently passed Worker Adjustment and Retraining Notification Act, which mandates that companies provide prior notice of major layoffs and plant closings to employees in certain circumstances.

ERISA Basics for Legal Services Providers 604
Pension cases can and should be treated in the same manner as other income maintenance cases within the legal services framework; this article outlines the basics of the Employee Retirement Income Security Act.

1988 Employment Law Developments 920
Legislative developments in employment law in 1988 included passage of the Civil Rights Restoration Act, the Employee Polygraph Protection Act, and the Worker Adjustment and Retraining Notification Act; in the courts, the Supreme Court decided cases construing the provisions of Title VII, upheld an amendment to the Food Stamp Act denying benefits to striking workers, and again addressed the issue of municipal liability under section 1983.

Patching the Crack in the Floor: Strategies for Expanding the Minimum Wage 23
In this second part of the Family Policy Series, the authors describe the history of federal minimum-wage laws, current minimum-wage workers and arguments for and against changing the minimum wage at this time, pending federal legislation and related proposals on the issue, and various state legislation.

Untender Mercies: Layoffs and the Older Worker 1104
Often an employer targets layoffs at higher salaried—and thus more senior—workers. This article describes a framework for analyzing labor force cutbacks as evidence of violations of the Age Discrimination in Employment Act.

FOOD PROGRAMS

Retroactive Relief in Food Stamp Litigation: Why the Eleventh Amendment Is Not a Bar 113
As the pendulum between policies of state immunity and federal law swings back and forth, eleventh amendment law evolves as a series of complicated and inconsistent judicially created fictions; this article sets out an analytical and legal framework for responding to eleventh amendment claims in food stamp litigation and offers three theories for obtaining retroactive relief.

FREEDOM OF INFORMATION

Obtaining Information from HHS 1401
HHS has recently finalized two sets of regulations that greatly affect the ways in which interested persons can obtain access to nonregulatory information on HHS policies, such as manuals, transmittal notices, and letter rulings.

HANDICAPPED PERSONS

Recent Developments in the Law Governing Medical Treatment for Older People and People with Disabilities 31
Recent federal and state developments have had a significant impact on the ability of legal services attorneys to represent the interests of medically dependent persons.

HEALTH

Discharge Planning: Promises and Realities 480
The Omnibus Budget Reconciliation Act of 1986 establishes for the first time a discharge planning process for identifying and planning for the post-hospital needs of Medicare patients; this article describes some of the problems that beneficiaries face

as they seek Medicare-reimbursed post-hospital services and offers some suggestions for facilitating discharge planning as a community-based resource.

Dispensing with the Dispensable: Rule 19 Motions in Medicaid Cases 488
This column outlines responses to state defendants' improper Rule 19 motions to join HHS as a party defendant in cases brought against the state Medicaid agency.

Elderly Poor: 1988 954
Legislative developments affecting the elderly poor include enactment of the Medicare Catastrophic Coverage Act, which expands Medicare Part A and Part B benefits and provides new transfer of assets rules for Medicaid, and the Omnibus Budget Reconciliation Act of 1987, which makes sweeping changes in nursing home law; on the litigation front, the mentally disabled continued to challenge HCFA policies and procedures with mixed success.

Financing Expanded Medicare Benefits Under the Medicare Catastrophic Coverage Act of 1988 1393
Many seniors are complaining vocally about the method chosen by Congress to finance the new Medicare coverage conferred by the Medicare Catastrophic Coverage Act; this column examines MCCA's complex provisions to identify the recipients of the act's benefits and burdens.

Health Benefits: How the System Is Responding to AIDS 724
Since 1981, 74,447 cases of AIDS have been reported in the United States and 41,925 people have died of the disease; this article identifies major health care problems that people with AIDS encounter and suggests solutions to these problems.

Health Care for the Poor in 1988 981
The past year saw legislation promising an expansion in Medicaid coverage for some low-income persons, passage of the Medicare Catastrophic Coverage Act, which places a limit on out-of-pocket costs for beneficiaries, continued decline in Hill-Burton enforcement, and decisions in several cases regarding state and local governments' responsibility to provide medical assistance.

Living in a Land of Confusion: Health Care Litigation and the Eleventh Amendment 1114
Late in 1988, a federal district court ruled that eleventh amendment immunity had been statutorily waived in a case involving claims of discrimination under the Medicaid, Hill-Burton, and Rehabilitation Acts; the court's reasoning in this case could greatly affect state and federal choice of forum decisions and the scope of relief in health care cases relying on statutes prohibiting discrimination.

Medicaid Eligibility in a Time Warp 120
The Pickle criteria become more liberal with each passing year and the number of people eligible for Medicaid under the amendment grows accordingly; this article provides an easy formula for screening for Medicaid eligibility under the Pickle amendment.

Medicaid Primary Care Case Management Update 348
Experience is showing that hastily implemented case management systems have often presented access barriers for Medicaid recipients and introduced a new dimension to administrative and fiscal concerns at Medicaid agency headquarters; this column provides a sampling of recent state activities.

Medical Treatment for Older People and People with Disabilities 1005
Decisions rendered in 1988 by the highest courts in two states may signal a trend toward reestablishing judicial protection for persons with disabilities who are incompetent and are being threatened with denial of life-sustaining food and fluids.

The Medicare as Secondary Payer Program: New Cost-Containment Measures Present Questions of Fairness 3
The Medicare as Secondary Payer Program was designed to reduce Medicare expenditures by making Medicare the secondary, rather than primary, payer of medical expenses in certain situations when there is dual insurance coverage; this article describes two areas of the program that can have harsh and inequitable effects on beneficiaries.

Recent Developments in the Law Governing Medical Treatment for Older People and People with Disabilities 31
See HANDICAPPED PERSONS for article summary.

Spousal Protections and Transfer of Assets Penalties Included in Catastrophic Law 752
The Medicare Catastrophic Coverage Act of 1988 contains mandatory income and resource protections for the community spouse of a nursing home resident receiving Medicaid; the law also contains new mandatory transfer of assets penalties and repeals all transfer of assets penalties under the SSI program.

States Take the Lead in Preventing Patient Dumping 136
This article reviews recently enacted state laws designed to ensure that low-income and uninsured persons are not discharged or transferred inappropriately from hospital emergency rooms.

Tax Exemptions for Health Care Facilities: Charity Care Enters the Picture 247
Recently, a number of state courts have held that nonprofit hospitals must provide meaningful amounts of charity care and must accept public aid recipients in order to preserve their tax-exempt status.

Undocumented Aliens and Emergency Care 619
Under section 9406 of the Omnibus Budget Reconciliation Act of 1986, otherwise eligible undocumented aliens are entitled to Medicaid coverage for emergency medical care, including emergency labor and delivery; this article reviews states' implementation of the provision.

HOUSING

Consumer Law for Housing Lawyers 1269
This column, the first of a series to present consumer laws that can be used by housing lawyers, addresses home mortgage scams.

Creating New Housing Opportunities for Families with Children: The Fair Housing Amendments Act of 1988 744
The presence of children in many families creates an obstacle to finding and remaining in suitable housing; however, a recently enacted federal law provides significant new remedies for child discrimination, thus creating new housing opportunities for families.

Finding Investment Dollars for Affordable Housing 455
This article describes the Enterprise Loan Fund, a new effort to obtain private capital for low- and moderate-income housing; so far, $1.5 million has been lent from the fund, in combination with $7 million from other public and private funds, for the planned development of 400 housing units in Baltimore.

Implied Private Rights of Action: Progress on the Road Back from Chaos 143
A recent Supreme Court opinion clarifies public housing tenants' private right of action to enforce federal housing legislation under 42 U.S.C. 1983.

1988 Developments in Federal Housing Law 866
In 1988, the Fair Housing Amendments Act expanded the protections of the Fair Housing Act of 1968; technical amendments to the federal housing programs authorization bill included several tenant protections prohibiting discrimination against the handicapped and lower income applicants; FmHA made changes in its prepayment guidelines; and the federal government increased financial assistance to the homeless.

Off-site Displacement: How the Changing Economic Tide of a Neighborhood Can Drown Out the Poor 1352
Off-site displacement occurs when changes produced by a particular development affect the neighborhood surrounding it, whether by increasing prices so that housing becomes unaffordable, by changing the social composition of an area to make it unattractive to former residents, or by creating blight that makes continued occupancy hazardous; this article presents an advocacy strategy for counsel charged with protecting the rights of low-income clients to adequate housing and decent neighborhoods in which to live.

Requiring Just Cause for Eviction from Private Housing: A Survey of Litigation Strategies and Legislative Approaches 1088
Although the overworked maxim that a landlord may evict for a good reason, a bad reason, or no reason at all is largely discredited, large numbers of tenants of private housing remain subject to the whim or caprice of their landlords. This article focuses on just cause legislation and litigation strategies, independent of rent control, that may close these gaps.

Use of Last Resort Housing Benefits and Redevelopment Powers to Preserve a Low-Income Community Threatened with Displacement 442
When the Crest Street community, a long-standing, low-income, black community of over 200 households in Durham, North Carolina, faced displacement so that the state transportation department could extend a local freeway, the community fought back and achieved a rare victory that both preserved the community and protected the interests of individual residents; this article chronicles the fight to preserve the community, describes the settlement ultimately negotiated, and discusses the applicability of the strategies used in this case to other displacement battles.

Women Housing Women: The Women's Community Revitalization Project 937
This case study describes how women in the Kensington neighborhood of Philadelphia organized a nonprofit, community-based organization that is rehabilitating rental housing for very low-income families headed by women.

IMMIGRATION

Legalization Enters Second Phase 614
A total of 1,760,297 aliens had filed for legalization under the Immigration Reform and Control Act as of the deadline for filing for amnesty; this article addresses the continuing obligations of aliens seeking lawful immigration status under the section 245A amnesty program based on unlawful residency in the U.S. prior to 1982.

Undocumented Aliens and Emergency Care 619
See HEALTH for article summary.

JUVENILES

How Child Abuse Programs Hurt Poor Children: The Misuse of Foster Care 219
In their zeal to protect abused and neglected children, courts and social agencies are overreacting to cases of social deprivation among poor children. Hundreds of thousands of poor children, in no real danger of physical injury, are unnecessarily placed in foster care, where they suffer more harm than if they were simply left at home. This article describes how this happens, and what can be done about it.

Youth Law Developments in 1988 887
During 1988, a series of decisions and settled cases in federal courts established greater protections for children in foster care, disabled children prevailed in overturning a regulation that limited their access to SSI benefits, amendments to the Medicaid program expanded eligibility for pregnant women and children, and the Fair Housing Amendments Act provided new protection for families with children.

MENTAL HEALTH

Mental Disability Law: 1988 966

This year marked important statutory and regulatory advances in mental disability law, including OBRA-87 amendments to Medicare and Medicaid requiring mandatory prescreening and annual resident evaluations to prevent improper placement of the mentally ill and mentally retarded in nursing homes, Fair Housing Amendments Act provisions prohibiting discrimination against people with mental disabilities, and antidiscrimination regulations issued by HUD.

MIGRANTS

The Involuntary Conversion of Employees into Self-Employed: The Internal Revenue Service and Section 530 14

During the 1980s, increasing numbers of farmworkers and other low-paid workers have been deprived of various benefits and protections provided by federal law because their employers have reclassified them as "independent contractors"; this article offers analysis of a little known federal income tax provision that has facilitated this wave of reclassification.

PRISONS

Managing a Prisoners' Legal Aid Office 468

See ATTORNEYS/LEGAL SERVICES for article summary.

Organizing a Prisoners' Legal Aid Office 335

See ATTORNEYS/LEGAL SERVICES for article summary.

Our Jails Runneth Over: Prison Law 1988 994

Overcrowding of our prisons and jails has burgeoned into a national problem that has a crippling impact on the ability of prison administrators to protect prisoners from harm inflicted by fellow prisoners and to deliver essential services and programs.

PUBLIC UTILITIES/ENERGY

Consumer and Energy Law Developments 877

In consumer law this year, the concepts of unconscionability and unfairness were strengthened, as were consumers' rights in repossessions; developments in energy law included continued cuts in federal low-income energy assistance, while oil overcharge monies neared an end.

Utility Disconnections as a Tort: Gaining Compensation for the Harms of Unlawful Utility Shutoffs 609

Damage actions are an alternative to the sole reliance on administrative remedies in cases in which a utility is found to have engaged in unlawful disconnection of service.

RURAL ISSUES

Farmworker Law Developments in 1988 1030

Developments in the past year include litigation brought under the Migrant and Seasonal Agricultural Worker Protection Act and the Fair Labor Standards Act, as well as developments with respect to pesticides, field sanitation, income transfer programs, the temporary foreign worker program, and migrant education.

SENIOR CITIZENS

Elderly Poor: 1988 954

Legislative developments affecting the elderly poor include enactment of the Medicare Catastrophic Coverage Act, which expands Medicare Part A and Part B benefits and provides new transfer of assets rules for Medicaid, and the Omnibus Budget Reconciliation Act of 1987, which makes sweeping changes in nursing home law; on the litigation front, the mentally disabled continued to challenge HCFA policies and procedures with mixed success.

ERISA Basics for Legal Services Providers 604

See EMPLOYMENT for article summary.

Medical Treatment for Older People and People with Disabilities 1005

Decisions rendered in 1988 by the highest courts in two states may signal a trend toward reestablishing judicial protection for persons with disabilities who are incompetent and are being threatened with denial of life-sustaining food and fluids.

Spousal Protections and Transfer of Assets Penalties Included in Catastrophic Law 752

See HEALTH for article summary.

SOCIAL SECURITY/SSI

Alcohol and Drug Abuse as a Basis for a Finding of Disability Under the Social Security Act: An Advocate's Perspective 1218

Although SSA recognizes that substance abuse may constitute a disabling impairment, disagreements between the federal courts and SSA over the circumstances in which substance abuse may be found to be disabling reveal a fundamental polarity of views on the degree to which personal responsibility is emphasized as a cause for abuse.

***Pittston Coal Group v. Sebben*: What Is the Significance, If Any, for Social Security Class Actions?** 1407

Although the Secretary of HHS contends that *Sebben* is a ringing confirmation of his narrow interpretation of the Supreme Court's holding in *Bowen v. City of New York*, Gill Deford argues that *City of New York* emphatically rejected the Secretary's restrictive view of the exhaustion and statute of limitations requirements of section 405(g).

Work Incentives for Disabled Persons Under the Social Security and SSI Programs 1074

The best kept secret among advocates, disability benefit recipients, and even SSA personnel has to be the availability of work incentives under the social security and SSI disability programs. This article discusses the major disincentives to work that have

traditionally dissuaded recipients from considering employment and describes various work incentives.

TRAINING

Home-Grown Videos 149
This column describes the "nuts and bolts" of how to do a video production for training.

Managing Training Records With (or Without) a Personal Computer 757
See ATTORNEYS/LEGAL SERVICES for article summary.

Not Just a Job: Career Development Systems and Legal Services 353
See ATTORNEYS/LEGAL SERVICES for article summary.

WELFARE

Preparing for Learnfare: Setting the Conditions for a Questionable Experiment 1060
Mandating school attendance for teen parents and school-age dependent children is an increasingly popular experiment in state welfare programs. This article describes the lessons to be learned from existing program designs and the controversies that they have engendered.

Protecting the Filing Date of AFDC Applications 134
Several states have adopted specific provisions enabling individuals to establish formally a date of application and start the welfare agency's clock running without first completing a detailed application form; this article reviews developments in this area.

Quality Control in Public Assistance: Victimizing the Poor Through One-sided Accountability 1381
This column explains how a one-sided federal policy holding the states accountable for public assistance overpayments has subverted the goals of aid to the poor and accurate measurement of the quality of state public assistance administration.

Quicker Access to Government Benefit Funds 1102
Under the Expedited Funds Availability Act, and Federal Reserve Board regulations interpreting the Act, depository institutions can no longer place lengthy holds on deposited funds.

The Role of the Courts in Welfare Reform 367
Litigation has been, and can continue to be, a valuable tool for expanding welfare benefits, particularly in combination with the efforts of concurrent social movements; this article examines the initial court challenges to the administration of the welfare system and will outline possible areas of future successful state court affirmative welfare litigation.

Welfare Law in 1988 897
Congress adopted major changes in employment and training programs and in child support enforcement in 1988; meanwhile, large numbers of eligible families continued to be denied cash assistance due to over-zealous verification procedures, and AFDC benefit levels continued to erode.

FEDERAL REGISTER HIGHLIGHTS

ATTORNEYS/LEGAL SERVICES

Field Readers for Law School Clinical Experience Program 1279
Law-Related Education Program 646
Maximum Income Levels for Legal Assistance Clients 156
Recipient Governing Bodies 646

CIVIL PROCEDURE/ ADMINISTRATIVE LAW

Administrative Conference of the United States 1414
Administrative Procedure and Correction 1122
Appealing NLRB Orders 493
Arbitration Policy 156
Certifying Nondelinquency for Financial Assistance 307
Civil Penalties for False Claims 307
Civil Penalties for Filing False Claims 493
Civil Penalties for Submitting Fraudulent Claims 156
Consolidating Petitions of Agency Actions 646
Delegating Final Authority to Impose Penalties 493
Indemnifying HHS Employees 156
Libraries that Carry Office of Federal Register Publications 156
Reaching Settlements in Agency Adjudications 493
Semiannual Regulatory Agendas 307
Withdrawing Inactive Proposed Regulations 156

CONSUMER

Availability of Funds and Collection of Checks 1122, 1279
California's Exemption from Credit Practices Rule 646
Computer Match of Job Training and Pell Grant Recipients 493
Computer Matches of Civilian Health and Medical Program Records 307
Computer Matching Program 157
Computer Matching Program Concerning Student Loans 44
Computer Matching Program Concerning Unemployment Compensation Benefits 44
Debt Collection 493
Debt Collection by Administrative Offset 307
Debt Collection Regulations 647
Debtors of Failing Banks 157
Electronic Fund Transfers 156
Equal Credit Opportunity 156, 1122
Exemption from Credit Practices Rule 361
Fair Debt Collection Practices Act 1122
Fair Housing Lending Data Requirements 646
FDIC Procedures for Publication of Notices Filed Under Change of Bank Control Act 1279
FSLIC Insurance Premium 1122
Funds Availability Policies 307, 647
Funeral Industry Practices 307
Home Mortgage Disclosure 647, 1122
Interest Rate on Overdue Debts 307, 647
New Continuing Computer Matching Program 1279
Odometer Disclosure Requirements 646
Offset of Federal Employees 647
Offset of Federal Employees for Department of Education Programs 647
Preempting State Funds Availability Laws 647
Private Sector Presentment of Checks 493
Sale of Used Cars 307
Tax Refund Offset 493
Truth in Lending 156
Unfair or Deceptive Bank Credit Practices 646
Vocational and Home Study Schools 646

CRIMINAL LAW AND PROCEDURE

Criminal Justice Formula Grants 1279

DOMESTIC RELATIONS

Adoption Assistance Program 157
Child Support Enforcement Program 157, 361
Medical Support as Part of Child Support 765

ECONOMIC DEVELOPMENT

Community Disaster Loan Program 157
Coordinated Discretionary Funds Program 647
Discretionary Grants Program 493
Emergency Food and Shelter Program 44
Federal Emergency Management Agency Advisory Board 765
Financial Assistance Regulations 307
Revolving Loan Fund Grants 157
State and Urban Planning Program 361
VISTA Literacy Corps Projects 44
VISTA Projects Funding 1414

EDUCATION

Adult Education for the Homeless Program 308
Biennial Research Priorities 361
Bilingual Education Program 765
Cancelling Student Loan Debts 647
Carl D. Perkins Vocational Education Act 308
Civil Rights Compliance Responsibilities 1122
College Work-Study Program 647
Cooperative Demonstration Program 44
Education Department General Administrative Regulations 648
Eligibility Under the Higher Education Act 157
Financial Need for Student Loans 361
Fund for the Improvement of Postsecondary Education 647, 765
Funding Priorities for New Direct Grant Awards 1414
Funding Priorities for Special Programs 765
Grant Management Requirements 44
Head Start Program 1122
Instruction in Mathematics, Science, Computer Learning, and Foreign Languages 44
Intergovernmental Review Deadlines 308
Library Programs 493

National Adult Education Discretionary Program 45, 647
National Diffusion Network Program 44
National Resource Centers Program 308
1988-89 Award Year Zero Student Aid Index Charts 1122
Paul Douglas Teacher Scholarship Program 44
Pell Grant, Campus-Based, and Guaranteed Student Loan Programs 308
Perkins Loan, College Work-Study, Supplemental Educational Opportunity Grant Programs 1279
Research and Development Centers Program 308, 361, 765
Secretary's Discretionary Program 157
Star Schools Program 157
State Vocational Education Program 765
Student Assistance General Provisions and Guaranteed Student/PLUS Loan Programs 765
Student Community Service Projects 765
Student Financial Assistance Programs 648
Students' Privacy Rights 157
Transition Program for Refugee Children 1279, 1414
Vocational Education Cooperative Demonstration Program 1122

ELECTIONS

Estimates of Voting Age Population 1414
Voting Rights Program 1122

EMPLOYMENT

Access to Employee Exposure and Medical Records 766
Air Contaminants Standard 1414
Apprenticeship 2000 Initiative 766
Apprenticeship 2000 Initiative Research Program 361
Basic Labor Exchange Activities Under Wagner-Peyser Act 766
Correction of Advance Notice of Proposed Rulemaking Under Worker Adjustment and Retraining Act 766
Economic Development Assistance Programs 1279
Educational Programs in Occupational Safety and Health 494
Employee Pension Benefit Plans 1279
Employee Polygraph Protection Act of 1988 1123
Employment of Industrial Homeworkers 1123
Employment Training to Dislocated Workers 1123
Federal Workplace Drug-Testing Programs 158
Generic Standards for Exposure Monitoring and Medical Surveillance Programs for Employees ... 766
Hazard Communication Standard 308, 494
Job Training for the Homeless Demonstration Program 158
Job Training Partnership Act 308
Job Training Partnership Act Allotments, Wagner-Peyser Act Program 1279
Job Training Partnership Act Presidential Awards Program 494
Labor Surplus Areas 493
Lower Living Standard Income Level 308
Occupational Exposure to Asbestos 766
Occupational Exposure to Formaldehyde 765, 1123
Occupational Exposure to Hazardous Substances 494
Occupational Noise Exposure Standard 494
Occupational Safety and Health 361
OSHA Hazard Communication Standard 1414
Performance Standards Under the Job Training Partnership Act 45
Procedures for Rescheduling Unfair Labor Practice Hearings 494
Reallotment, Reallocation of Funds Under Job Training Partnership Act 1123
Reporting Dates for Hazard Communication Standard Facilities 648
Research, Evaluation, Pilot, and Demonstration Procurement Plans 766
Retraining Dislocated Workers 361
Routine Uses for Disclosure in Litigation 766
Safety and Health Program Management Guidelines 1414
Trade Adjustment Assistance 1414
Trade Adjustment for Workers 1279
Wagner-Peyser Act 157
Worker Adjustment and Retraining Notification 1123
Workplace Drug Testing Programs and Control of Drug Use in Mass Transportation Operations 1123
Workplace Literacy Partnerships Grants Program 45

ENVIRONMENTAL LAW

Advertising, Registration of Pesticides 1280
Asbestos-Containing Materials in Government-Owned Property 648
Asbestos-Containing Materials in Schools 361, 648
Assurance of Hazardous Waste Capacity 1279
Banning and Phasing Out Asbestos Use 45
Comprehensive Assessment Information Rule 1279
Disclosures of Chemical Identities That Are Trade Secrets 648
Environmental Impacts of FmHA Proposals 766
Hazardous Substances in the Environment 308
Hazardous Substances Priority List 1123
Implementation of Water Quality Act of 1987 1280
Leaded Gasoline on the Farm 1123
Pesticide Monitoring Inventory 308
Pesticide Regulation Standards 1123
Pollution Prevention Policy 1414
Registration of Pesticide Producers 308
Registration of Producers of Pesticide Active Ingredients 766
Safe Drinking Water Act's Lead Prohibition and Lead Public Notice Requirements 1123

FOOD PROGRAMS

Aliens Ineligible to Receive Food Stamps 309
Availability of Donated Foods to Nonprogram Schools 495
Charitable Donations for Food Stamp Eligibility Purposes 362

Child Care Food Program 494
Child Care Food Program's Adult Day Care Provision 1280
Child Nutrition Programs 1414
Computer Matching Program 45, 495, 648
Distributing Federally Donated Foods 362
Donated Foods in Child Nutrition Programs 766
Donation of Foods for Use in the United States 495
Food Distribution Program 158, 362, 1123
Food Program for Women, Infants, and Children 494
Food Stamp Issuance Liability Rule 1415
Food Stamp Program Striker Provisions 767
Food Stamp Program's Quality Control Variance Exclusions 1123
Food Stamp Sanctions for Voluntarily Quitting Employment 648
Homeless Food Stamp Recipients 494
Income Eligibility Guidelines for Nutrition Programs 309
Incorporating Government-Donated Commodities into Processed End Products 362
Infant Meal Pattern in Child Nutrition Programs 494
Infant Meal Pattern for Child Nutrition Program 1124
National Commodity Processing Program 309, 766
National School Lunch Program 648
Nutrition Program for the Elderly 362
Poverty Income Guidelines for Mothers, Children, and the Elderly 309
Prerelease Applications from Institutional Residents 1414
Sales Tax of Food Stamp Transactions 648
School Breakfast Program 309
School Lunch, Breakfast, and Special Milk Programs 494
Simplified Food Stamp Application and Benefit Determination 495
Summer Food Service Program for Children 1414
Temporary Emergency Food Assistance Program 308, 767, 1280
Thrifty Food Plan and Eligibility Standards and Deductions 1123
Women, Infants, and Children Program 309, 766

FREEDOM OF INFORMATION

Access to Records and Payment of Fees 309
Amendments to Freedom of Information Act 648
Assessing Fees and Releasing Records 45
Availability of Federal Reserve System Information 362
Economic Research Service 649
Fee Schedule and Fee Waiver Policy 45
Freedom of Information Act Regulations 1124
Law Enforcement Exemption 45
New Fee Schedule 309
Procedures for Requesting Business Information 495
Processing Record Requests 767

GOVERNMENT AND GOVERNMENTAL SERVICES

Budget Deferrals 649
Census Bureau's Service Annual Survey 1124
Cumulative Report on Deferrals 45, 158, 309, 362, 649
Delegating Budget Submissions 649
Delegation of Authority to Implement Executive Orders 309
Disaster Preparedness Assistance 1415
Federalism Implications of HUD Policies 649
Final Sequestrian Report to OMB and Congress 1124
Flood Insurance for Disaster Relief Programs 1415
GAO Employees' Political Activities 495
Grants and Cooperative Agreements to State and Local Governments 45
Guidelines for Federal Statistical Activities 158
Individual and Family Grant Program 1280
National Institute of Justice's Research Program Plan 1124
OMB's Budget Rescissions, Deferrals, Cumulative Report 1280
OMB's Cumulative Report on Rescissions and Deferrals 1124
Price Changes in Federal Register Publications 649
Productivity Improvement Program 309
Sequestration Report 649
Temporary Relocation Assistance 1415
Unified Agenda of Federal Regulations 1124

HANDICAPPED PERSONS

Architectural and Transportation Barriers Compliance Board Hearings 1124
Assistance to States for Education of Handicapped Children 46
Captioned Films and Educational Media Loan Services 46
Captioned Films Loan Service and Educational Media Loan Service for the Handicapped Programs 1124
Developmental Disabilities Program 158, 649
Discrimination in FCA and Civil Rights Commission Programs 362
Discrimination in HUD-Financed Programs 362
Discrimination on the Basis of Handicap 310
Electronic Office Equipment Accessibility for Handicapped Employees 1124
Experimental and Innovative Training Program 310
Field-Initiated Research Projects 495
Handicapped Special Studies Program 46, 495, 649
Information and Referral System for Developmentally Disabled 46
Intermediate Care Facilities for the Mentally Retarded 362
Long-Term Care 310
National Institute on Disability and Rehabilitation Research 1280
Nondiscrimination on the Basis of Handicap 46
Nondiscrimination on the Basis of Handicap in Air Travel 767
Nondiscrimination on the Basis of Handicap in Railroad Retirement Programs 1124
Preschool Grants for Handicapped Children Program 1280
President's Committee on Employment of People with Disabilities 309
Preventing Discrimination in Federal Programs 495

Program Accessibility in Public Housing Programs 767
Programs for Handicapped Children 46
Rehabilitation Long-Term Training Program 309
Rehabilitation Service Projects 46
Rehabilitation Services Administration Programs 310
Removal of Architectural Barriers 45
Research in Education of the Handicapped Program 649
Special Minimum Wage Rates 310
Standards for Accessible Leased Facilities 767
State Allotments for Developmental Disabilities 46
State Vocational Rehabilitation Unit
In-Service Training Program 45
State Vocational Rehabilitation Services Program 310
Technology, Media, and Materials in
Educating the Handicapped 46
Telephones Compatible with Hearing Aids 158
Training Rehabilitation Researchers 495

HEALTH

Administration of Medicare and Medicaid 496
AIDS Demonstration Grants 1415
AIDS Prevention Advisory Committee 363
AIDS Regional Education and Training Centers 311
AIDS Service Demonstration Program Grants 158
Alcohol-Related Behavior That
Increases AIDS Risk 311
ALJ Hearings Concerning Certain Medicare Claims 362
Annual Report of National Advisory Committee
on Rural Health 1124
Assessment Policy of Uncompensated
Services Programs 1124
Assigning Medicare Providers to
Regional Intermediaries 311
Budgets for Fiscal Intermediaries and Carriers 1280
Civil Money Penalties 496
Collaborative Studies on the Genetics
of Alcoholism 1280
Collecting Information in Medicare
and Medicaid Programs 158
Community and Migrant Health Centers 1415
Computing Medicare Payment for Providers 47
Conferences on Health Promotion and
Disease Prevention 159
Confidentiality of Persons Undergoing HIV Testing 47
Confidentiality Rules in HIV Testing 1125
Coordinated Discretionary Funds Program 768
Delegation of Authority for Grants for
AIDS Treatment Drugs 1125
Delegation of Authority to Handle False Claims 159
Delegation of Childhood Vaccine Authority 767
Direct Part B Medicare Payment Procedure 649
Disclosing Information Relating to
Health Care Practitioners 46
Emergency Medical Services for Children 1415
Employers and Duplicative Medicare Benefits 1125
Evaluating Fiscal Intermediaries or Carriers
in Medicare Program 767
Federal Financial Participation in State
Assistance Expenditures 1124
Federal Share of Overpayments 1415
Fire Safety Standards for Medicaid and
Medicare Providers 158
Food Allergy Tests and Treatments Under Medicaid 768
Former SSI Recipients Eligible for Medicaid 311
Grants for Treatment Drugs for AIDS 1280
HCFA Computer Matching Program 1280
HCFA's New System of Records 1125
HCFA's Statement of Organization, Functions,
and Delegations of Authority 1125, 1415
HCFA's System of Records 1280
Health Care Financing Research 1415
Health Education to Prevent the Spread of AIDS 310
Hemophilia and Genetic Disease Grant Programs 496
HHS Claims Collection Interest Rate 1415
Home Health Care Demonstration for
Armed Services Personnel 362
Hospitals Participating in the Medicare
and Medicaid Programs 363
HRSA and ADAMHA AIDS Advisory Committees 363
Identifying Physicians for Medicare Reimbursement 363
Influenza Vaccine for Medicare Beneficiaries 496
Insurance and Coinsurance of Mortgages
Covering Nursing Homes 650
Maternal and Child Health Services Project Grants 1280
Medicaid Skilled Nursing or Intermediate
Care Facilities 650
Medicaid's State Plans and Grants to States 767
Medicare and Medicaid Surveys 363
Medicare as Secondary Payer 363
Medicare Coverage for Heart Transplants 649
Medicare Economic Index for 1989 768
Medicare Enrollment in HMOs and Competitive
Medical Plans 767
Medicare Hospital and Supplementary
Medical Insurance 1125
Medicare Inpatient Hospital Deductible for 1989 768
Medicare Inpatient Hospital Prospective
Payment System 311
Medicare Inpatient Hospital Prospective
Payment System and FY 1989 Rates 768
Medicare Inpatient Payment System 496
Medicare Monthly Actuarial and
Part B Premium Rates 768
Medicare Payment to Nurse Anesthetists 1415
Medicare Prospective Payment System 363
Medicare's Billing and Verification Add-On
for Home Health Agency Visits 768
Medicare's Part A Premium for the
Uninsured Aged 1125
Medicare's Schedule of Limits on Home
Health Agency Care 1124
Medicare's Skilled Nursing Facility Coinsurance 1124
Minority AIDS Education and Prevention 311
Minority Community Health
Demonstration Projects 47
Miscellaneous Medicare and
Medicaid Amendments 1415
Mortgage Insurance for Hospitals 310
Mortgage Insurance for Nursing Homes 310
National AIDS Program Office 47

National Disaster Medical System 159
National Health Promotion Grants 1415
National Registry of Persons Exposed to
Hazardous Substances 1125
National Risk Communication Training Program 767
New Drug Therapies for Desperately Ill 1124
New System of Records for Medicaid Program 495
Nonacute Care Facilities for AIDS Patients 47
Office of AIDS Research 310
Organ Procurement Organizations 310
Payment for Inpatient Hospital Services 47
Payment Limit for Home Dialysis
Equipment and Supplies 1281
Pediatric AIDS 311
Peer Review Organization Contracts 650
Peer Review Organizations 46, 767
Population Base for Distribution of Grants for
Rape Victims and Rape Prevention 768
Preventing Disease Through Immunization 311
Preventing Perinatal Infection with the AIDS Virus 311
Preventive Health Services for Sexually
Transmitted Diseases 47
Primary Health Care Services 158
Promoting Perinatal Health 311
Public Health Service's New System of Records 1280
Quality of Care Furnished to
Medicare Beneficiaries 310
Quarterly Listing of HCFA Program Issuances 363
Quarterly Listing of Program Issuances 768, 1280
Rates for Recovery from Tortiously Liable
Third Persons for Costs of Medical Services 768
Reasonable Charge Payment Limitations
for Physicians' Services 495
Reasonable Charges for Physician Services 158
Reconsideration of Pennsylvania State
Plan Amendment 47
Records of Administering Childhood Vaccines 47
Requiring Medicare-Participating Hospitals
to Treat Veterans 363
Return on Equity Capital for Outpatient Services 158
Rural Health Research Centers 159
Sanctions Against Suppliers of End-Stage
Renal Disease Services 767
State Medicaid Eligibility Requirements 159
Statutory Prohibition on Use of Appropriated
Funds in Programs Where Abortion is Method
of Family Planning 1125
System Notice for Health Insurance
Master Record 1280
Terminating Capital Expenditure
Review Agreements 47
Third-Party Resources to Replace
Medicaid Payments 46

HOUSING

"Lead-Free" Water Pipes in Manufactured Homes 496
Adjustable-Rate Mortgage Program 312
Administrative Appeal Procedures 497
Analyzing Credit Needs and Graduation
of FmHA Borrowers 1126
Appraisals and Property Inspections 159
Automated Multiple Housing Accounting System 312
Community Development Block Grant Programs 650
Community Development Block Grants Program 768
Community Development Work Study Program 650
Comprehensive Homeless Assistance Plan 1281
Comprehensive Improvement Assistance Program 311
Delegations of Authority for Policy Development
and Research 1126
Demolishing or Disposing of Public
Housing Projects 650
Demolition of Public Housing Projects 1416
Donation of Federal Surplus Personal Property
to Providers of Homeless Assistance 1126
Emergency Community Services Homeless
Grant Program 496
Emergency Homeless Grant Program 1416
Emergency Shelter Grants Program 650, 1281
Enterprise Zone Development 650, 769, 1126
Fair Housing Amendments Act of 1988 1415
Fair Housing Complaints 497
Fair Housing Initiatives 1416
Fair Market Rent Schedules 48
Fair Market Rents for Section 8 Programs 311
Fair Market Rents in Section 8 Programs 159
Federal Property as Possible
Homeless Facilities 1281, 1415
Fee Schedules and Waiver Regulations for
Freedom of Information Act Requests 769
FmHA Housing Demonstration Program 1281
FmHA Loan and Grant Program Funds Regulations 497
FmHA Loan Servicing System 1126
FmHA Multiple Family Housing Borrowers
and Grant Recipients 1281
FmHA Processing Debt Settlement Actions 769
FmHA's Business and Industry Guaranteed
Loan Program 1126
FY 1989 Loan Interest Rate for Section 202
Loans for Housing for Elderly or Handicapped 1126
Grievance Procedure for Public Housing 1416
Home Equity Conversion Mortgage
Insurance Demonstration 1416
Housing for the Elderly or Handicapped 159
Housing Voucher Program 48
HUD Delegation of Authority 1281
Implementation of Salary Offset 1126
Lead Standards in Water Piping 159
Lead-Based Paint Hazard Elimination Rule
for Public and Indian Housing 1126
Lead-Based Paint Hazards in Public and
Indian Housing 363
Lead-Based Paint in HUD-Owned Housing 650
Leasing Surplus Real Property to Assist
the Homeless 48
Loans for Housing for the Elderly
or Handicapped 363, 1126
Maximum Allowable Interest Rate on Home Loans 312
Mortgage Insurance Interest Rates 1126
Moving Expenses for Displaced Individuals
and Families 497
Multiple Family Housing Borrowers 1416
National Flood Insurance Program 497

Neighborhood Development Demonstration Program ... 312
Nonentitlement to Distributive Shares in the Event of Foreclosure ... 48
PHA's and IHA's Allowable Expense Level for Insurance ... 497
Prepayment of Multifamily Mortgage ... 159
Prevailing Wage Rates Applicable to Public Housing Projects ... 650
Preventing Rural Rental Housing Displacement ... 311
Public Housing Lease and Grievance Procedures ... 651
Real Estate Settlement Procedures Act ... 312
Recognition of Substantially Equivalent Fair Housing Laws ... 1126
Refinancing of Single-Family Housing Loans ... 48
Rental Rehabilitation Grant Program ... 497
Rental Rehabilitation Grants ... 1126
Rental Rehabilitation Program ... 48, 650
Rents for HUD-Owned Multifamily Housing Projects ... 497
Rents for Multifamily Housing Projects ... 312
Resident Management in Public Housing ... 768
Rural Housing Weatherization Loans ... 1416
Section 502 Rural Housing Loan Policies ... 1126
Section 502 Rural Housing Loans ... 47, 311, 769
Section 515 Rural Rental Housing Loans ... 48
Section 8 Fair Market Rent Schedules ... 769
Section 8 Housing Vouchers ... 768
Section 8 Moderate Rehabilitation Program ... 1281
Section 8 Project-Based Assistance and Certificate Program ... 1281
Section 8 Revised Contract Rent Annual Adjustment Factors ... 1126
Security Servicing for Multiple Housing Loans ... 312
Single-Family and Multifamily Mortgage Insurance Authorities ... 48
Single-Family Housing Fund Analysis ... 48
Single-Family Housing Loans ... 497
Single-Family Mortgage Instruments ... 768
Supplemental Assistance for Facilities to Assist the Homeless ... 1281
Supportive Housing Demonstration Program ... 497, 1281
Tenancy and Administrative Grievance Procedure for Public Housing ... 1126
Tenant Selection Preference in Rent Supplement Program ... 312
UDAG Funding Rounds for FY 1989 ... 1126
Uniform Relocation Assistance ... 48
Unused HUD Property ... 1416
Urban Development Action Grants ... 651, 1281

IMMIGRATION

Adjudicating a Visa Petition or Application ... 498
Adjustment of Status for Certain Aliens ... 48, 1127, 1416
Admitting Special Agricultural Workers for Temporary Residence ... 651
Alien Family Members of U.S. Citizen or Permanent Resident ... 651
Alien Status Verification System ... 1282
Aliens Applying for Unemployment Insurance ... 312
Applicant Processing for Legalization Program ... 1127
Barring Foreign-Licensed Attorneys from Immigration Proceedings ... 48
Declaration of Intending Citizen Filing Requirements ... 1127
Definition of "Sod" Under Immigration Reform and Control Act ... 1281
Definitions of "Felony" and "Misdemeanor" for Legalization Purposes ... 49
Detention and Release of Juveniles ... 312
Detention Enforcement Officer ... 769
Effective Date of Temporary Resident Status ... 49
Eligibility for Public Assistance Programs ... 651
Emergency Immigrant Education Program ... 1416
English Language Citizenship ... 1416
Filing a Charge of Discrimination ... 49
Health Programs for Refugees ... 159
Identifying Northern Mariana Island Residents Who Are Citizens ... 497
Immigration Related Unfair Employment Practices ... 769
Immigration User Fee ... 1281
INS Forms ... 1416
Legalization Program ... 497
Procedures to Handle Aliens Convicted of Crimes ... 48
Refugee Cash and Medical Assistance ... 651
Refugee Resettlement Program ... 364, 1416
Repatriation Review of Mariel Cubans ... 1281
Replenishment Agricultural Workers ... 769
Resident Status for Alien Commuters ... 312
SAVE Program ... 1416
Special Agricultural Workers ... 1416
Special Agricultural Workers Program ... 49
Special Agricultural Workers' Records ... 498
State Legalization Impact Assistance Grants ... 48
Supplementing Board of Immigration Appeals ... 312
Terminating Temporary Employment Authorization ... 364
Unfair Employment Practices ... 312
Unfair Immigration-Related Employment Practices ... 1127
Visa Waiver Pilot Program ... 497
Visas, Documentation of Immigrants ... 1127

JUVENILES

Adolescent Family Life Projects ... 1416
Child Welfare Services ... 1282
Comprehensive Child Development Program ... 1282
Delinquency Prevention ... 364
Missing Children ... 364
Missing Children's Assistance Act ... 49
Policy Guidance for Nonsecure Custody of Juveniles in Adult Jails/Lockups ... 1127
Testing Juvenile Detainees for Illegal Drug Use ... 1127
Title IV-E Adoption Assistance Program ... 1282
Youth Corrections Act Inmates ... 769

MENTAL HEALTH

Mental Health Aspects of AIDS ... 1416
Mental Health Services Demonstration Grants ... 1282

MIGRANTS

Adverse Effect Wage Rates 49
Reporting Requirements for Employers of SAW Workers 1417
Temporary Alien Agricultural Labor Certification Program 364

NATIVE AMERICANS

Acknowledgement as a Tribe 769
Adult Educational Services Projects 770
Alaskan Native Development Projects and Local Governance 651
Appeals from Administrative Actions 1417
Assessing Hearing Loss of Native Hawaiian Children 159
Cherokees of Southeast Alabama, Inc. 651
Community Development Block Grant Program for Indian Tribes and Alaskan Villages 1127
Complying with the National Environmental Policy Act 49
Education Personnel 770
Education Programs 769
Educational Enrichment Projects 769
Educational Services Projects 769
Emergency Shelters and Halfway Houses for Indian Youth 313
Employment Training Programs 651
Extending Period for Alienation Restrictions on Indian Lands 651
Facilities Improvements and Repairs 652
Grants for Educational Personnel Development 770
Health Service Delivery Areas 652
Indian Entities Recognized, Eligible for Bureau of Indian Affairs Services 1282
Indian Health Service Medical Staffs 651
Indian Housing Act Amendments 770
Indian Probate Proceedings 1127
Indian Religious Freedom Act 651
Indian Tribes Performing Law Enforcement Functions 1127
Job Training Partnership Act 313
Juvenile Detention Facilities 498
Law Enforcement Functions 769
Life Estates and Future Interests 498
Native Hawaiians and Native American Pacific Islanders 651
Preferences for Indians in Contracting, Employment, and Training 498
Preparing a Roll of Alaska Natives 364
Probate Fees 498
Public Housing Development Cost Containment 1127
Ranking School Construction Applications 160
Revolving Cattle Pool 1127
School Construction Projects 652
Self-Help Development in the Mutual Help Homeownership Opportunity Program 770
Social and Economic Development Projects 364
Tribal Management Program 49

PRISONS

Adult Basic Education Programs 313
Delegations of Authority 49
Forfeiture of Time on Parole 1128
Inmate Discipline and Special Housing Units 1127
Minimum Standards for Education Tests 49
National Institute of Corrections' Program and Training Schedule 652
Occupational Education Programs 49
Parole Commission Regional Office File Disclosure 1128
Parole Eligibility Guidelines 652
Parole Eligibility Status of Firearms Act Violators 1127
Parole Hearings 1127
Paroling, Recommitting, and Supervising Federal Prisoners 1128
Presentence Investigation Reports 498
Release of Information to a Law Enforcement Agency 313
Urine Surveillance to Detect/Deter Illegal Drug Use 1127

PUBLIC UTILITIES/ENERGY

Department of Energy Financial Assistance Rules 160
Excess Petroleum Violation Escrow Funds 1128
Low-Income Home Energy Assistance Program 49, 770
NRC's Denial of Petition for Rulemaking 1282
Petitions for Review with Federal Energy Commission 1128
Regulating Telephone Rates 364
State Energy Conservation and Energy Extension Service Programs 313
State Energy Conservation Program 1282

RURAL ISSUES

Agricultural Credit Act 770
Agricultural Loan Loss Amortization 652
Agricultural Loan Mediation Program 652
Borrower Rights 770
County Committee Members 50
Credit-Related Insurance 770
Credit Report Fees 652
Debt Collection Methods on FmHA Loans 50
Debt Settlement of Community and Business Loans 160
Deferring Existing Loans 313
Disaster Assistance and Emergency Loans 652
Disclosure of Loans to Officers and Directors 313
Farm Credit Administration Examinations and Investigations 498
Farm Credit Administration Loan Policies/Operations 1128
Farm Credit Administration Member Insurance 1128
FCA's Assessment of Civil Money Penalties 498
FmHA Implementation of IRS Offset 1282
FmHA Offices' Endorsement of Checks 770
Funding and Loan Policies Under the Farm Credit Act 498
Guaranteed Farm Loan Program 50

Guaranteed Farmer Program Loan Regulations 1282
Household Financial Statement and Budget Form 313
Industrial Development Grants 652
Ineligibility for FmHA Loans 50
Intermediary Relending Program 652
Joint Employment with Banks and Associations 364
Making Loans or Granting Subordinations to Delinquent Borrowers 50
Merger of Farm Credit Banks 313, 652
Operations of the Farm Credit Administration Board 313
Processing of Loan Assumptions 50
Providing Capital to Farm Credit System Institutions 160
Terminating the Farm Credit System Capital Corporation 160
Voluntary Debt Adjustment 313
Water and Waste Disposal and Community Facility Borrowers 313

SENIOR CITIZENS

Age Discrimination in Ceasing Pension Plan Contributions and Accruals 499
Age Discrimination in Early Retirement and Employee Benefit Plans 498
Age Discrimination in Employment Act 313
Civil Penalties Under ERISA 771
Debt Collection by Federal Tax Refund Offset 1282
Definition of "Plan Assets" 314
Employee Pension Benefit Plans 160
Family Caregiver Programs 498
Foster Grandparent and Senior Companion Programs 498
FY 1989 Discretionary Funds Program 1128
Geriatric Education Centers 1417
Health Practices of the Elderly 364
Independent Living Services for Older Blind Individuals 498
Interest Rates and Factors for Single-Employer Pension Plans 313
Older Americans Act 50, 653
Railroad Retirement 1417
Railroad Retirement Annuities 771
Railroad Retirement Benefits 313
Railroad Retirement Board 1989 Monthly Compensation Base and Other Determinations 1128
Railroad Retirement Taxes 770
Rights of Nursing Home Patients 1417
Senior Companion Program 160
Valuation of Benefits in Single-Employer Pension Plans 652
Valuation of Benefits in Single-Employer Plans 50

SOCIAL SECURITY/SSI

Calculating Optional State Supplementary Payments 499
Computer Matching Program of Disability Benefits 314
Continued Payment of Benefits During Appeal 653
Correction and Update to Regulations 1417
Definition of "Resources" for SSI Eligibility 499
Determining SSI Eligibility When There Are Resource Transfers 314
Federal Allotments to States for Social Services Expenditures 1128
Federal Civilian Employee Medicare Coverage 771
HHS's Statement of Organization, Functions, and Delegations of Authority 1128
Income Eligibility Levels for Foster Grandparent, Senior Companion Programs 1129
Mental Disorder Listings 653
1989 Cost of Living Increase and Other Determinations 1128
OASDI and Other Benefits 1417
Reducing Recipient's Benefits to Pay Attorney Fees 314
Removal of Reservation of Authority for Section 218(s) of Social Security Act 1283
Research Grants 1417
Research on SSA Programs 50
Revised Redelegations of Authorities for Disposition of SSI Overpayments 1282
Social Security Coverage of Government Employees 653
Social Security Disability Demonstration Projects 50
Social Security Disability Program Demonstration Project 1128, 1282
SSI Resource Rules 364
Status of Rules in Disability Benefits Program 1283
Support and Maintenance Assistance as "Income" 771
Waiver of Recovery of Overpayment 314
Waiving the Recovery of Overpayments 499

TAXATION

Eligibility for Earned Income Credit 652
Lobbying by Public Charities and Private Foundations 1283
Nuclear Decommissioning Costs 50
Tax Overpayments 1283

TRANSPORTATION

Leasing Facilities and Equipment 314
Safety Specifications for Federally Assisted Buses 771
University Transportation Centers Program 771
Urban Mass Transportation Administration (UMTA) Legal Opinions 160
Urban Mass Transportation 771
Using UMTA-Funded Equipment and Facilities for Charter Service 314

UNEMPLOYMENT COMPENSATION

Extended Benefit Program 499
State Employment and Unemployment Statistics 364
Trade Adjustment Assistance Amendments 771
Trade Adjustment Assistance for Workers 652
Worker Adjustment and Trade Adjustment Programs 771

VETERANS/MILITARY

Active Military Service Civilian Navy IFF Technicians 1129
Administrative Claims Under Federal Tort Claims Act 772

Amounts of Group Life Insurance 315
Automobile Allowance and Adaptive Equipment Program for Disabled 1129
Availability of Records, Publication of Documents Affecting the Public 1283
Benefits for Disabled Veterans 499
Benefits Forfeited for Fraud or Treason 315
Bereavement Counseling 51
Civilian Health and Medical Program of the Uniformed Services 1283
Computer Match for Selective Service Registration Violators 365
Computer Matching Program 314, 652
Conferring Veteran Status on World War II Merchant Marine 314
Cost-of-Living Adjustments and Headstone/Marker Allowance Rates 1129
Credit Reports 771
Decrease in Maximum Permissible Interest Rates on Guaranteed Manufactured Home, Home/Condominium, and Home Improvement Loans 1129
Delivering Benefits Without a Mailing Address 365
Discontinuing a Veteran's Rehabilitation Program 652
Disinterments from National Cemeteries 1417
DoD Members, Employees, and Family Members Outside U.S. Charged with or Convicted of Felonies or Contempt 1283
Education Program Approval Process 772
Educational Assistance Eligibility After Dishonorable Discharge 315
Educational Assistance for Members of the Selected Reserve 771
85-15 Percent Ratio Requirement 1417
Environmental Impact Statements for National Cemeteries 500
Evaluating the Degree of Disability Caused by Double Vision 652
Evaluation of Hearing Loss 499
Evidence to Establish Dependents 1417
Extension of Independent Living Services Program 1283
Extension of Nursing Home Care 161
Federal Tort Claims 1129
Fiduciary Activities for an Incompetent Veteran 365
Forfeiture of Education Benefits 1417
Frequency of Pension Payments 51
FY 1989 Medical Care Reimbursement Rates 1129
Geriatrics and Gerontology Advisory Committee 771
Identifying Nonregistrants for the Draft 499
Indemnification of VA Employees 1417
Interest Rates on Guaranteed Manufactured Home Loans, Home and Condominium Loans, and Home Improvement Loans 1283
Job Training Partnership Act 51
Job Training Partnership Act Funds 1283
Maximum Permissible Interest Rates on Home Loans 160, 315
National Service Life Insurance 314
Overpayments of Veterans Education Benefits 315
Parking Fees at VA Medical Facilities 500
Post-Vietnam Era Veterans' Educational Asssistance Program 771
Postal Employment for Nonregistrants for Selective Service 772
Processing Registrants for the Draft 500
Recognition of Organizations, Representatives, Attorneys, and Agents 1283
Refund for Withdrawal from a Course 652
Schedule for Rating Disabilities 1417
Servicemen's and Veterans' Group Life Insurance 772
Special Life Insurance 1417
Surgical Program Evaluation 1129
Unemployment Compensation for Ex-Servicemembers 51, 1129
Veterans Education 1129, 1283
Veterans Education Outreach Program 1283
Veterans Readjustment Appointment Program 365

WELFARE

Detecting Fraud in Florida AFDC and Food Stamp Programs 365
Detecting Fraud in New York City Public Assistance Programs 365
Detecting Fraud in Utah Public Assistance Programs 365
Emergency Assistance Program 51
Essential Persons Under AFDC Program 1418
Family Support Administration 772
Income and Eligibility Verification System for AFDC and Adult Assistance Programs 1283
Poverty Income Guidelines 1418
State Claims for Federal Financial Participation 500
Utility Payments by AFDC Recipients in Public Housing 772
Welfare Dependency 51

TOPICAL INDEX

This is a listing by topic of cases that have appeared in the Clearinghouse Review *for the period covered by this index. The numbers in brackets are the Clearinghouse Numbers and must accompany all document reprint requests. Cases without Clearinghouse Numbers were reported in the Advance Sheet Highlights section of the* Review.

ABORTION

Medicaid

Urbish v. Lamm 1195

Medically Necessary

Urbish v. Lamm 1195

Restrictions

LSC Opinion Re Abortion Litigation, *In re* [43,891] 1130

Massachusetts v. Bowen 192

Urbish v. Lamm 1195

ADMINISTRATIVE LAW

Abuse of Discretion

Ahrens v. Bowen [32,735] 700

Cowfer v. Pennsylvania Unemployment Compensation Bd. of Review 94

Arbitrary and Capricious

Doe, *In re* [43,688] 819

Gross v. Perales 1190

Horstead v. Lyng [43,375] 167, 663

National Coalition for the Homeless v. VA [43,806] 797

Puig v. Kirschner [43,391] 170

Sullivan v. FmHA [42,995] 840

Bias of ALJ

Garvin v. Secretary of HHS [43,362] 182

Nelson v. Bowen [43,789] 814

Delay in Processing

Blankenship v. Secretary of HHS [15,795] 1199, 1309

Gee v. Mass Transit Admin. 413

Waugh v. Department of Health & Mental Hygiene [43,837] 794

Delegation of Powers

Reese v. Kizer [38,528] 778

Exhaustion of Remedies

Augoustinakis v. INS 837

Avalos v. La Conca D'Oro, Inc. [43,371] 178

Devries v. Spillane [43,722] 665

Dominick v. Bowen 1332

V. v. Providence School Bd. 192

Ysasi v. Rivkind [39,827] 804

Finality

Bush v. Bowen 842

Cook v. Ochsner Found. Hosp. [3973] 1298

Davis v. Spanish Coalition for Jobs, Inc. 87

Descheenie v. Bowen 700

Gonzalez v. Bowen [42,747] 682

Morrison v. Steinbacher [43,393] 183

Young v. Bowen 1198

Hearings

McDonald v. Kunin [43,764] 825

Sheppard v. Deukmejian [43,667] 508

Judicial Review

DeLeon v. Secretary of HHS 701

Gee v. Mass Transit Admin. 413

Marozsan v. United States [43,604] 528

Mussatto v. Director, Office of Workers' Compensation Programs 835

National Coalition for the Homeless v. VA [43,806] 797

Olson v. Bowen [43,851] 793

Stockton v. Indiana Dep't of Pub. Welfare [42,714] 169

Waugh v. Department of Health & Mental Hygiene [43,837] 794

Yang v. Bowen [43,694] 681

Rulemaking Procedures

Action Alliance of Senior Citizens of Greater Philadelphia v. Bowen [34,403] 266

Brooks v. Min [43,598] 509

Hanks v. Department of Social Servs. [43,732] 687

Hoerner v. VA 94

Petitions for Rulemaking N.J.A.C. 10:82-1.2 & 10:85-4.1, *In re* [43,465] 291

Request for Regulatory Determination Re Prosthetic Devices, *In re* [44,139] 1151

Stockton v. Indiana Dep't of Pub. Welfare [42,714] 169

United Farm Workers of Am. v. INS [42,723] 67, 283, 804

Vandever v. Kansas Dep't of Revenue 1188

Rulemaking Procedures/Notice

Bailey v. Bowen [40,040] 1333

North Am. Coal Corp. v. Director, Office of Workers' Compensation Program 836

Ohio Dep't of Human Servs. v. HHS [41,464] 1146

Sullivan v. FmHA [42,995] 840

Willey v. Ives [39,830] 1147

Rulemaking Procedures/ Proposed Rule Change

Tyler v. Fitzsimmons [43,876] 820

Scope of Review

Devries v. Spillane [43,722] 665

Salgado v. Jackson [44,064] 1133

Vandever v. Kansas Dep't of Revenue 1188

Sovereign Immunity

Cotton v. Mansour [37,134] 1295

Florida Dep't of Health & Rehabilitative Servs. v. Whaley 1451

Standing

Correa v. Bowen 304

Knipper, *In re* 1326

ADOPTION

See also ILLEGITIMATE CHILDREN

Abandonment
M., T.R., Adoption of, *In re* 542
Meyers v. Smith 86

Best Interest Standard
F. v. Felan [43,786] 784

Consent Requirements
Bovett, Adoption of, *In re* 86
Deel, Adoption of, *In re* [44,076] 1139
Giles v. Adoption of Hinchee [43,964] 1137
Infant Anonymous, Adoption of, *In re* [43,787] 784
Meyers v. Smith 86
Slover v. Smith [43,962] 1136

Costs
Griffith v. Johnston [44,036] 1157
P., J. v. Missouri Dep't of Social Servs. 1191

Notice Requirements
A., Adoption of, *In re* [43,987] 1138

Placement Procedures
Griffith v. Johnston [44,036] 1157

Race Considerations
Child of Indian Heritage, Adoption of, *In re* 698

Records/Access
Griffith v. Johnston [44,036] 1157

Right to Counsel
Deel, Adoption of, *In re* [44,076] 1139
Giles v. Adoption of Hinchee [43,964] 1137

Support Obligations
Slover v. Smith [43,962] 1136

Termination of Parental Rights
A., Adoption of, *In re* [43,987] 1138
Begay v. Rael 1452
Deel, Adoption of, *In re* [44,076] 1139
F. v. Felan [43,786] 784
Giles v. Adoption of Hinchee [43,964] 1137
Slover v. Smith [43,962] 1136

Visitation Rights
Aragon, Marriage of, *In re* 1445
Worley v. Worley 1445

AID TO FAMILIES WITH DEPENDENT CHILDREN

See also WELFARE

Absence of Parent
Clinton, *In re* [43,443] 294

Age Limits
Garcia v. Colorado Dep't. of Social Servs. 1454
Poorman v. Bowen [43,326] 73, 542

Aliens
Chabbani, *In re* [43,669] 689
Quinones v. Director, Dep't of Social Servs. [43,838] 826

Application Procedures
Guerriere, *In re* [43,378] 187

Assets
Buckley v. Department of Health & Rehabilitative Serv. 94
Flowers v. Perales [44,122] 1180
Williams v. Florida Dep't of Health & Rehabilitative Servs. 424

Assets/Exemptions
Floyd v. Sugarman [42,495] 290, 409
Two Uniform Gift to Minor Accounts, *In re* [43,993] 1181

Assets/Transfer of
Deel v. Jackson [42,328] 1313

Available Income
Malloy v. Eichler [40,089] 511, 1194
Proffit v. Sorrell 836

Child Living Outside Home
Richardson v. McMahon [43,395] 186, 1181

Child Support
Agee v. Duffy [34,816] 686, 823
Baker v. Virginia Dep't of Health & Rehabilitative Servs. 546
Ealey v. Holt 424
Esquivel v. McMahon [44,171] 1316
Hickey v. Duffy [43,031] 1182
Iowa v. Fink 1446
Johnson v. Cohen [38,485] 78
Maine Dep't of Human Servs. v. Merrill Trust Co. [43,963] 1183
Overbey v. McBride [43,483] 394
Starks v. Utah Dep't of Social Servs. [43,289] 58
Tomas v. Tomas 1445
Walters v. Ginsberg [44,054] 1177
Young v. Riley [43,485] 410

Child Support/Assignment
Bennett v. White [27,044] 505, 1132, 1313

Child Support/Cooperation with Enforcement Efforts
DeArmond v. Sugarman [44,056] 1184
Doston v. Duffy [38,842] 1178
Tindell v. Rogosheske 415
Vigil, *In re* [43,889] 828

Child Support/Pass Through
Acosta v. Atkins [36,033] 1178
Beasley v. Harris [42,507] 529
Berg v. Gardebring [43,866] 823, 1314
Brown v. McMahon [43,812] 822
Cowling v. Barry [43,831] 824
D'Antignac v. Perales [43,561] 530
Gulley v. Patterson [43,867] 822
Humble v. Illinois Dep't of Pub. Aid [43,287] 81
Mosley v. Bowen [44,151] 1315
Robertson v. Concannon [43,878] 825
Shackleton v. Bowen [44,152] 1313
Stroop v. Bowen [43,018] 1177
Todd v. Norman 199
Vanscoter v. Bowen [41,726] 529, 1179, 1441
Wilcox v. Ives [40,813] 1312

Citizenship
Flores v. Concannon [44,141] 1148
Cooperation Requirements
DeArmond v. Sugarman [44,056] 1184
K. v. Department of Health & Rehabilitative Servs. [44,148] 1316
Corrective Action Plan
Rosas v. McMahon 1454
Countable Income
Andrade v. Bowen [44,071] 1177
Bussey v. Florida Dep't of Health & Rehabilitative Servs. 546
Mangrum v. Griepentrog [44,128] 1179
McGill v. Flaherty [43,538] 409
Delayed Payments
Hernandez v. McMahon [43,771] 826
Peppers v. Barry [43,861] 777
Deprivation of Parental Support
Clinton, *In re* [43,443] 294
Jeffords v. Ives [43,951] 1183
McDaniel v. Washington State Dep't of Social & Health Servs. [43,475] 292
Sorensen v. Munson [41,769] 687
Due Process
Bennett v. White [27,044] 505, 1132, 1313
DeArmond v. Sugarman [44,056] 1184
Jeffords v. Ives [43,951] 1183
Miller v. Lipscomb [44,184] 1315
Moore v. Perales [40,153] 843
Robertson v. Concannon [43,878] 825
Rosas v. McMahon 1454
Slaughter v. Levine [42,576] 824
Spratt v. Department of Social Servs. 844
Earned Income Disregards
Scalio v. Income Maintenance Admin. [43,875] 827, 1318
Treatment of Job Corps Allowances Under AFDC, *In re* [44,284] 1442
Eligibility
Buckley v. Department of Health & Rehabilitative Serv. 94
Gregory, *In re* [43,671] 690
Hodge, *In re* [43,997] 1185
Mendoza, *In re* [43,102] 186
Quinones v. Director, Dep't of Social Servs. [43,838] 826
Richardson v. McMahon [43,395] 186, 1181
Shaw v. McMahon [39,686] 1317
Taylor v. Secretary of La. Dep't of Health & Human Resources [41,286] 1317
Young v. Riley [43,485] 410
Young v. Rubin [43,879] 825
Emergency Assistance
Franklin v. New Jersey Dep't of Human Servs. [43,608] 516
Employability Definition
Gaspard v. Adult & Family Serv. Div. 1455
Taylor v. Secretary of La. Dep't of Health & Human Resources [41,286] 1317
Upson v. Watson [43,792] 824
Equal Protection
Brown v. McMahon [43,812] 822
Family Budget Unit
Bradley v. Austin [40,607] 198
Collins v. Barry [2730] 198
Family Budget Unit/ Three-Generation Household
Kali v. Bowen [42,098] 830
Foster Care
County of San Mateo v. Dell J., Sr. 1200
Fraud/Repayment of Benefits
Reyes, *In re* [43,418] 294
Grant Levels
Washington State Coalition for the Homeless v. Sugarman [44,223] 1320
Hearings
Gaspard v. Adult & Family Serv. Div. 1455
McDonald v. Kunin [43,764] 825
McIntosh v. Commissioner, Me. Dep't of Human Servs. [43,953] 1184
McKenney v. Commissioner, Me. Dep't of Human Servs. [43,954] 1184
Saldana v. Essex County Div. of Welfare 304
Spratt v. Department of Social Servs. 844
Home Searches
Owens v. Sugarman [44,037] 1185
Incapacitated Claimants
Jeffords v. Ives [43,951] 1183
Taylor v. Secretary of La. Dep't of Health & Human Resources [41,286] 1317
Upson v. Watson [43,792] 824
Income
Saucier, *In re* [43,648] 529
Williams v. Florida Dep't of Health & Rehabilitative Servs. 424
Income/Availability
Deel v. Jackson [42,328] 1313
Royster, *In re* [43,562] 689
Saldana v. Essex County Div. of Welfare 304
Wise v. Iowa Dep't of Human Servs. 545
Income/Deeming
Bradley v. Austin [40,607] 198
Collins v. Barry [2730] 198
Gachuzo v. Minnesota Dep't of Human Servs. [43,563] 530
Johnson v. Cohen [38,485] 78
Malloy v. Eichler [40,089] 511, 1194
Stead v. Ellenbecker [44,199] 1298
Stroop v. Bowen [43,018] 1177
Income/Disregards
Andrade v. Bowen [44,071] 1177
D'Antignac v. Perales [43,561] 530
McGill v. Flaherty [43,538] 409

Income/Disregards/Earned Income
Scalio v. Income Maintenance Admin. [43,875] 827, 1318
Treatment of Job Corps Allowances Under AFDC, *In re* [44,284] 1442
Vierra v. Rubin [44,266] 1440
Income Tax Refunds
McKenney v. Commissioner, Me. Dep't of Human Servs. [43,954] 1184
Interim Payments
McDonald v. Kunin [43,764] 825
Liens for Benefits Received
Flowers v. Perales [44,122] 1180
Lump Sum Payments
Gardebring v. Jenkins [42,576] 198
Hodge, *In re* [43,997] 1185
Lopez, *In re* [43,216] 187
McIntosh v. Commissioner, Me. Dep't of Human Servs. [43,953] 1184
Mont v. Heintz [43,368] 162, 545
Proffit v. Sorrell 836
Shaw v. McMahon [39,686] 1317
Slaughter v. Levine [42,576] 824
Williams v. Florida Dep't of Health & Rehabilitative Servs. 424
Man-in-the-House
Heart v. Ellenbecker 697
Mandatory Cooperation
Doston v. Duffy [38,842] 1178
Mandatory Cooperation/Location or Identification of Absent Parent
DeArmond v. Sugarman [44,056] 1184
K. v. Department of Health & Rehabilitative Servs. [44,148] 1316
Monthly Income Reporting
Scalio v. Income Maintenance Admin. [43,875] 827, 1318
Vierra v. Rubin [44,266] 1440
Monthly Income Reporting/Overpayments
McGrady, *In re* [43,815] 829
Negative Action Notices
Cowling v. Barry [43,831] 824
Gardebring v. Jenkins [42,576] 198
Slaughter v. Levine [42,576] 824
Paternity/Cooperation in Establishing
DeArmond v. Sugarman [44,056] 1184
K. v. Department of Health & Rehabilitative Servs. [44,148] 1316
Personal Injury Settlement
Lopez, *In re* [43,216] 187
Reed v. Slaughter 546
Williams v. Florida Dep't of Health & Rehabilitative Servs. 424
Prompt Processing
Hernandez v. McMahon [43,771] 826
Hines v. Perales [44,173] 1318
Recoupment
Flowers v. Perales [44,122] 1180
Garcia v. Colorado Dep't. of Social Servs. 1454
Hines v. Perales [44,173] 1318
Recoupment/Departmental Error
Castro v. Sugarman [42,643] 81
Middlesex County Bd. of Social Servs. v. C. [43,420] 293
Recoupment/Overpayments
Arsenault v. Commissioner of Me. Dep't of Human Servs. [43,641] 529
Castro v. Sugarman [42,643] 81
Floyd v. Sugarman [42,495] 290, 409
Jeffords v. Ives [43,951] 1183
Middlesex County Bd. of Social Servs. v. C. [43,420] 293
Reyes, *In re* [43,418] 294
Vigil, *In re* [43,889] 828
Reduction/Notice
Rosas v. McMahon 1454
Reimbursements
County of San Mateo v. Dell J., Sr. 1200
Lucas v. Bowen [42,577] 1314
Reed v. Slaughter 546
Relative Responsibility
Florida Dep't of Health & Rehabilitative Servs. v. Hatfield 304
Relative Responsibility/Child Support
Gulley v. Patterson [43,867] 822
Relative Responsibility/Child Support/Reimbursement to Welfare Agency
Baker v. Virginia Dep't of Health & Rehabilitative Servs. 546
Bennett v. White [27,044] 505, 1132, 1313
County of San Mateo v. Dell J., Sr. 1200
Hickey v. Duffy [43,031] 1182
Nicollet County v. Larson 414
Resources
Arsenault v. Commissioner of Me. Dep't of Human Servs. [43,641] 529
Floyd v. Sugarman [42,495] 290, 409
Maine Ass'n of Interdependent Neighborhoods, Inc. v. Petit [35,253] 1454
Middlesex County Bd. of Social Servs. v. C. [43,420] 293
Reyes, *In re* [43,418] 294
Retroactive Payments
Gachuzo v. Minnesota Dep't of Human Servs. [43,563] 530
Guerriere, *In re* [43,378] 187
Retrospective Budgeting
Saucier, *In re* [43,648] 529
Shelter Allowance
Jiggetts v. Grinker [43,124] 1180
Romero v. Department of Social Serv. 702
Sharp v. Perales [44,204] 1319
Washington State Coalition for the Homeless v. Sugarman [44,223] 1320
Social Security Number
Gregory, *In re* [43,671] 690

Standard of Need
Mont v. Heintz [43,368] 162, 545
Petitions for Rulemaking N.J.A.C. 10:82-1.2 & 10:85-4.1, *In re* [43,465] 291
Stepparent
Heart v. Ellenbecker 697
Student Eligibility
Wise v. Iowa Dep't of Human Servs. 545
Support Obligations
Esquivel v. McMahon [44,171] 1316
Termination of Benefits
Jeffords v. Ives [43,951] 1183
McDonald v. Kunin [43,764] 825
Termination of Benefits/Excess Income
Ealey v. Holt 424
Mangrum v. Griepentrog [44,128] 1179
Termination of Benefits/Failure to Cooperate
Doston v. Duffy [38,842] 1178
Termination of Benefits/Lump Sum Payments
Gardebring v. Jenkins [42,576] 198
Mont v. Heintz [43,368] 162, 545
Slaughter v. Levine [42,576] 824
Termination of Benefits/ Reporting Requirements
McGrady, *In re* [43,815] 829
Underpayments
Hines v. Perales [44,173] 1318
Lucas v. Bowen [42,577] 1314
Unearned Income
Cowan v. Lipscomb [43,464] 290
Saldana v. Essex County Div. of Welfare 304
Unemployed Parent
Shaw v. McMahon [39,686] 1317
Unemployment
Gaspard v. Adult & Family Serv. Div. 1455
Young v. Rubin [43,879] 825
Verification
Rodriguez, *In re* [43,428] 294
Work Expenses (Deductions)
Atkinson v. Department of Health & Rehabilitative Servs. [44,218] 1321
Scalio v. Income Maintenance Admin. [43,875] 827, 1318
Work Expenses (Deductions)/Travel
Polendo v. Johnston [43,256] 79
Work Incentive Demonstration Projects
Doe v. Cullen [43,556] 410
Work Incentive Program
Atkinson v. Department of Health & Rehabilitative Servs. [44,218] 1321
Polendo v. Johnston [43,256] 79
Treatment of Job Corps Allowances Under AFDC, *In re* [44,284] 1442
Work Incentive Program/Registration Requirements
Castro v. Sugarman [42,643] 81
Quinones v. Director, Dep't of Social Servs. [43,838] 826
Work Incentive Program/Sanctions for Failure to Participate
Boettger v. Bowen [42,866] 687
Doe v. Cullen [43,556] 410
Rodriguez, *In re* [43,428] 294
Rosales v. County of Yolo [42,418] 292

AIDS

See HEALTH

ALIENS

See also IMMIGRATION, MIGRANTS

Border Searches
Lopez Lopez v. Aran 417, 1329
Deportation
Castro-O'Ryan v. INS 540
Committee of Cent. Am. Refugees v. INS 301
Contreras-Aragon v. INS 696
Dor v. INS 1329
El-Youssef v. Meese 193
Escobar v. INS 1450
Flores v. Meese [39,665] 68, 674
MacDonnell v. INS 837
Smith v. INS 542
United States v. Ghebreziabher 1450
Vargas v. Swan 837
Vilorio-Lopez v. INS 696
Drugs
Castro-O'Ryan v. INS 540
Employment/Discrimination
Rios v. Enterprise Ass'n Steamfitters Local Union 638 [4307] 1192
Employment/Labor Certification
AFL-CIO v. McLaughlin [44,217] 1305
Employment/Undocumented Workers
Lopez v. Ezell [44,067] 1156
Patel v. Quality Inn S. 417
Employment/Work Authorization
Doe I v. Meese 837
Lopez v. Ezell [44,067] 1156
Salinas-Pena v. INS [42,510] 68
Sandoval v. Colorado Div. of Employment [43,463] 289, 702
Housing
Phillips v. McLaughlin 836
Illegal Aliens/AFDC Eligibility
Flores v. Concannon [44,141] 1148
Illegal Aliens/Search Standards
Peters v. United States [43,691] 673
Juveniles
Flores v. Meese [39,665] 68, 674
Medicaid/Eligibility
Flores v. Concannon [44,141] 1148
Ruiz v. Kizer [43,863] 792, 1297
Medical Services/Nonemergency Service Eligibility
Ruiz v. Kizer [43,863] 792, 1297

Naturalization
Agcaoili v. Gustafson 300
Perales v. Meese 542
Political Asylum
Blanco v. Contra Costa County [43,618] 531, 1181
Contreras-Aragon v. INS 696
Doe I v. Meese 837
Guo-Jun Cheng v. Ilchert 1329
Rodriguez v. INS 193
Vilorio-Lopez v. INS 696
Refugees
Guo-Jun Cheng v. Ilchert 1329
Refugees/Cash Assistance/Termination/ Due Process
Cha Lor v. Bowen [44,032] 1179
Residency
Ayuda, Inc. v. Meese 696
Catholic Social Servs. v. Meese [42,712] 282, 403
Welfare Eligibility
Chabbani, *In re* [43,669] 689
Quinones v. Director, Dep't of Social Servs. [43,838] 826
Tabib, *In re* [43,692] 684
Welfare Eligibility/Refugees
Blanco v. Contra Costa County [43,618] 531, 1181
Cha Lor v. Bowen [44,032] 1179

ATTACHMENT

See also CONSUMER, GARNISHMENT, REPOSSESSION
Jones v. Preuit & Mauldin [41,290] 692
Exemptions
Bennett v. Arkansas 91
McCrory v. Johnson [43,626] 660
Prejudgment
McCrory v. Johnson [43,626] 660

ATTORNEY FEES

Duran v. Carruthers [43,262] 53
Williams v. Illinois State Bd. of Elections 1188, 1189, 1192
Administrative Activities
Burr v. Ambach 412, 1448
D. v. Sobel 691
Eggers v. Bullitt County School Dist. [43,813] 774
Escobar Ruiz v. INS 188
M. v. Board of Educ. of the New York City School Dist. 692
M., Duane v. Orleans Parish School Bd. 1187
McBean v. Bowen [44,182] 1286
McBride v. Bowen [44,166] 1287
Turton v. Crisp County School Dist. 691
Advancement of Public Interest
Blanchard v. Bergeron 1443
Award
Abu-Sahyun v. Palo Alto Unified School Dist. 296
Baggett v. Housing Auth. of Los Angeles [40,492] 776
Baker v. Bowen 188
Brown v. Eichler [42,569] 189
Charles v. Daley 536
Fields v. Luther [43,434] 286, 503
Gooden v. Blanding 691
Holmes v. District of Columbia 189
I. v. Clausen 84
Joyner v. Bowen 1443
K. v. Board of Educ. of Chicago [31,144] 274
Marsh v. Digital Equip. Corp. 1443
Muth v. Central Bucks School Dist. 192
Neisz v. Portland Pub. School Dist. 536
Williams v. Bowen [43,534] 390
Bad Faith
Craig v. Wells [42,031] 656
Posey, Guardianship of, *In re* 1444
Smith v. Smith 1188
Taylor v. Martin [44,183] 1288
Wells v. Bowen 830
Civil Rights Attorney's Fees Awards Act
Charles v. Daley 536
Hughes v. Horsley [43,869] 791, 1286
Civil Rights Attorney's Fees Awards Act/ Related State Court Proceedings
K., L. v. Gregg [40,352] 831
Civil Rights Attorney's Fees Awards Act/Settlements
Ferguson v. Perales [44,156] 1288
K., L. v. Gregg [40,352] 831
Stefan v. Laurenitis 1188
Civil Rights Attorney's Fees Awards Act/ State Action
Doe v. Reivitz [39,911] 54
Civil Rights Attorney's Fees Awards Act/Successful Action
K., L. v. Gregg [40,352] 831
Knop v. Johnson 543, 1443
Collection
Craig v. Secretary of HHS 1443
Costs Allowed
Peppers v. Barry [16,334] 775
Posey, Guardianship of, *In re* 1444
Sheely v. Wisconsin Dep't of Health & Social Servs. [43,864] 776
Denial
Abu-Sahyun v. Palo Alto Unified School Dist. 296
Cain v. Bowen 412
Eggers v. Bullitt County School Dist. [43,813] 774
Flemm v. Bowen 1323
Florida Dep't of Health & Rehabilitative Servs. v. Dubay 296
Georgia Ass'n of Retarded Citizens v. McDaniel [30,742] 830, 832
Hendricks v. Bowen 536
Hutchinson v. Bowen 84

Jefferson v. Bowen 189
Knop v. Johnson 543, 1443
Linquist v. Bowen [30,109] 53
Ohio *ex rel.* Fox v. Cuyahoga County Hosp. 1448
Rateree v. Rockett 536
Truax v. Bowen 296
United States v. 122.00 Acres, in Koochiching County, Minn. 1187
Wakefield v. Mathews 691

Determination

Baggett v. Housing Auth. of Los Angeles [40,492] 776
Blanchard v. Bergeron 1443
Bruce v. City of Alameda [34,391] 1420
Burr v. Ambach 412, 1448
Clarke v. Clarke 1325
Counsel v. Dow [43,273] 536
Craig v. Secretary of HHS 1443
Eames v. Bowen 1443
Fields v. Luther [43,434] 286, 503
Gooden v. Blanding 691
Guadamuz v. Bowen 1187
Headlee v. Bowen [42,485] 265
Herold v. Hajoca Corp. 296
Hillburn v. Commissioner Conn. Dep't of Income Maintenance 412
Holmberg v. Bowen 692
Holmes v. District of Columbia 189
Joyner v. Bowen 1443
M. v. Illinois State Bd. of Educ. 412
Pierce v. Underwood [18,186] 412
Poole v. Bowen 692
Ramos Colon v. Secretary of HHS 691
Rateree v. Rockett 536
Rodriguez v. Secretary of HHS 830
Rossi v. Gosling 1323
Schleigh v. Reigh [38,543] 502
Schrand v. Federal Pac. Elec./Reliance Elec. 692
Sheely v. Wisconsin Dep't of Health & Social Servs. [43,864] 776
Shoemaker v. Bowen 691
Shorter v. Valley Bank & Trust Co. 189
Turton v. Crisp County School Dist. 691
Velasquez v. Director, Office of Workers' Compensation Programs, U.S. Dep't of Labor 296
Vieweg v. Friedman 832

Equal Access to Justice Act

Adamson v. Bowen [38,531] 777
Andrew v. Bowen 188
Azzo v. Bowen 1323
Baker v. Bowen 188
Burks v. Bowen 1188
Carmel v. Bowen 1443
Escobar v. Bowen 1187
Escobar Ruiz v. INS 188
Goodro v. Bowen 830
Headlee v. Bowen [42,485] 265
James v. Bowen [43,748] 657
Kali v. Bowen [42,098] 830
Marquez v. Bowen 296
Mayeda v. Bowen [43,594] 502
McBride v. Bowen [44,166] 1287
McDonald v. Bowen 831
Panola Land Buying Ass'n v. Clark [38,874] 412
Papazian v. Bowen 830
Pierce v. Underwood [18,186] 412
Poole v. Bowen 692
Renzi v. Bowen [43,877] 775
Rhoten v. Bowen 830
Sheely v. Wisconsin Dep't of Health & Social Servs. [43,864] 776
Shepard v. Bowen 1188
Singleton v. Bowen 188
Smith v. Bowen [43,749] 657
Tepper v. Bowen 691
Truax v. Bowen 296
Wagaman v. Bowen 1323
Wells v. Bowen 830
Williams v. Bowen [43,534] 390
Wynn v. Bowen [43,257] 75, 657

Equal Access to Justice Act/Substantially Justified Position

Barsky v. Bowen 1188
Bowen v. Bowen [43,544] 389
Cannon v. Heckler 1188
Doe v. Reivitz [39,911] 54
Drake v. Pierce [43,528] 401, 800, 1287
DuBose v. Pierce [16,651] 1187
Eames v. Bowen 1443
Flemm v. Bowen 1323
Gatson v. Bowen [43,603] 197, 830
Gowen v. Bowen 830
Hadden v. Bowen [42,327] 691
Holmberg v. Bowen 692
Jefferson v. Bowen 189
Jones v. Bowen 296
Langer v. Bowen [44,127] 1172
Linquist v. Bowen [30,109] 53
Lively v. Bowen 1187
McBean v. Bowen [44,182] 1286
Miller v. Bowen [43,859] 815
Murphy v. Bowen 831
Nesvold v. Bowen 422, 691
Noia v. McMahon [40,718] 774
Oliver v. Bowen [41,498] 162
Reeves v. Bowen 189, 1188
Sisk v. Bowen 831
Spence v. Bowen [43,542] 389
Spruil v. Bowen 831
Sweazey v. Bowen [43,986] 1170
United States v. One 1984 Chevrolet Truck 1443
Wilson v. Bowen 841

Hourly Rates

Azzo v. Bowen 1323
Barcia v. Sitkin [28,534] 412
Brown v. Eichler [42,569] 189
Burks v. Bowen 1188
Craig v. Secretary of HHS 1443

Fields v. Luther [43,434] 286, 503
Headlee v. Bowen [42,485] 265
Hillburn v. Commissioner Conn. Dep't of Income Maintenance 412
Horowitz v. Perales [44,196] 1318
Hughes v. Horsley [43,869] 791, 1286
Irizarry Rivera v. HHS 692
James v. Bowen [43,748] 657
Jenkins v. Missouri 188
Jones v. Bowen 296
Joyner v. Bowen 1443
Lindsey v. Anderson & Sons Auto Sales, Inc. 831
Marquez v. Bowen 296
McDonald v. Armontrout 1187
Medford v. District of Columbia 831
Nesvold v. Bowen 422, 691
Norman v. Housing Auth. of Montgomery [39,526] 84
Oliver v. Bowen [41,498] 162
Peppers v. Barry [16,334] 775
Pierce v. Underwood [18,186] 412
Ramos Colon v. Secretary of HHS 691
Searcy v. Crim 831
Sisk v. Bowen 831
Smith v. Bowen [43,749] 657
Tepper v. Bowen 691
Williams v. Bowen [43,534] 390
Wynn v. Bowen [43,257] 75, 657

Legal Services

Baggett v. Housing Auth. of Los Angeles [40,492] 776
DuBose v. Pierce [16,651] 1187
Eggers v. Bullitt County School Dist. [43,813] 774
Maplewood Management, Inc. v. Best [44,147] 1287
McBean v. Bowen [44,182] 1286
Noia v. McMahon [40,718] 774

Nonpayment

Jenkins v. Missouri 188

Paralegal Costs

Arons v. New Jersey Bd. of Educ. 188

Prevailing Party

Andrew v. Bowen 188
Barsky v. Bowen 1188
Bernal-Garcia v. INS 696
Bowen v. Bowen [43,544] 389
Counsel v. Dow [43,273] 536
D. v. Sobel 691
Doe v. Reivitz [39,911] 54
Escobar v. Bowen 1187
Ferguson v. Perales [44,156] 1288
Footville State Bank v. Harvell 1444
Goodro v. Bowen 830
Hendricks v. Bowen 536
Johnson v. Human Rights Comm'n 1193
Jones v. Lamb [44,229] 1431
K., L. v. Gregg [40,352] 831
Keith v. Volpe [7519] 1195
Knop v. Johnson 543, 1443
Lawrence v. Philadelphia 1443
Marsh v. Digital Equip. Corp. 1443
Medford v. District of Columbia 831
Paulson v. Bowen 92
Peppers v. Barry [16,334] 775
Rateree v. Rockett 536
Reeves v. Bowen 189, 1188
Renzi v. Bowen [43,877] 775
Rhoten v. Bowen 830
Rossi v. Gosling 1323
Schleigh v. Reigh [38,543] 502
Shepard v. Bowen 1188
Simmons v. Cohen 1444
Singleton v. Bowen 188
Stefan v. Laurenitis 1188
Tepper v. Bowen 691
Wakefield v. Mathews 691

Section 1983 Suits

Blanchard v. Bergeron 1443
Doe v. Reivitz [39,911] 54
Hill v. Southside Pub. Schools 692
Morgan v. Ward 1452
Noia v. McMahon [40,718] 774

Section 1988 Suits

Ferguson v. Perales [44,156] 1288
Hughes v. Horsley [43,869] 791, 1286
Marsh v. Digital Equip. Corp. 1443
Morales Feliciano v. Hernandez Colon 1188, 1198
Rateree v. Rockett 536
Searcy v. Crim 831
Stefan v. Laurenitis 1188

Settlements

Hill v. Southside Pub. Schools 692
Lawrence v. Philadelphia 1443
Norman v. Housing Auth. of Montgomery [39,526] 84
Shorter v. Valley Bank & Trust Co. 189

Settlements/Conditions

Dixon v. Johnson 1188
DuBose v. Pierce [16,651] 1187
Wakefield v. Mathews 691

Time Spent on Fee Application

Azzo v. Bowen 1323
Bruce v. City of Alameda [34,391] 1420
Burks v. Bowen 1188
James v. Bowen [43,748] 657
Marquez v. Bowen 296
Smith v. Bowen [43,749] 657
Wynn v. Bowen [43,257] 75, 657

Timeliness of Motion

M., Max v. New Trier High School Dist. No. 203 1187
Papazian v. Bowen 830
United States v. One 1984 Chevrolet Truck 1443
Wagaman v. Bowen 1323

Traveling Time

McDonald v. Armontrout 1187

ATTORNEYS

See also ATTORNEY FEES
Craig v. Wells [42,031] 656
Weidner v. Alaska 1323
Advertising
Heilig-Meyers Furniture, *In re* [43,479] 265
Discharge
Sioux Tribe v. United States 1330
Disqualification
Jones v. Jones 536
Effective Assistance of Counsel
K., S.S., *In re* 418
Judicial Process/Misuse
Adamson v. Bowen [38,531] 777
Ahern v. Central Pac. Freight Lines 412
Hidahl v. Gilpin County Dep't of Social Servs. 1323
Johnson v. McNeil [44,252] 1421
Liens
Law Office of Tony Center v. Baker 296
Panola Land Buying Ass'n v. Clark [38,874] 412
Suspension
Lawline v. American Bar Ass'n [43,777] 775

AUTOMOBILES

See also CONSUMER, DRIVER'S LICENSE, INSURANCE, REPOSSESSION
Deceptive Trade Practices
Ford Motor Credit Co. v. Dubs [43,354] 164
Ramsey v. Keever's Used Cars 1444
Financial Responsibility
Burden v. McNally [43,999] 1131
Insurance/Deceptive Practices
Ornelas v. Safeway Ins. [43,791] 779
Leases
Coward v. Maryland Nat'l Bank [43,469] 269
Keeling v. Ford Motor Credit [43,377] 269, 1444
Odometer Reading Requirements
May v. Oldfield 1324
Oettinger v. Lakeview Motors, Inc. 85
Repossession
Keeling v. Ford Motor Credit [43,377] 269, 1444
Kentucky Fin. Co. v. Miller [43,297] 56
Sales
Gambrill v. Alfa Romeo, Inc. 1324
Used Automobiles/Conditions
Anderson v. KP's Auto World [43,260] 56
May v. Oldfield 1324
Ramsey v. Keever's Used Cars 1444
Used Automobiles/Warranties/Implied
Vieweg v. Friedman 832
Warranties
Lytle v. Roto Lincoln Mercury & Subaru, Inc. 414
Rose v. A & L Motor Sales 1324

BANKRUPTCY

Adversarial Proceedings
Madisonview Towers v. Yardley [43,784] 800
Alimony
Stringer, *In re* 536
Automatic Stay
Saunders & Assoc. v. 29 Newbury St. (*In re* 29 Newbury St., Inc.) 831
Soiett v. VA [44,137] 1131
Steeley v. Dunivant 297
Stringer, *In re* 536
Taylor v. First Fed. Sav. & Loan Ass'n of Monessen 296
Watts, *In re* [42,578] 1131
Chapter 7
Bauer, *In re* [43,372] 162
Benny v. Chicago Title Ins. Co. (*In re* Benny) 297
Love v. Pahl [43,441] 265
Sears v. Stinson 297
Sullivan v. Willock (*In re* Wey) 831
Taylor v. First Fed. Sav. & Loan Ass'n of Monessen 296
Chapter 11
Benny v. Chicago Title Ins. Co. (*In re* Benny) 297
Saravia v. 1736 18th St., N.W., Ltd. Partnership [43,353] 177
Chapter 13
Davenport v. Pennsylvania Dep't of Pub. Welfare [43,294] 54, 657
Madisonview Towers v. Yardley [43,784] 800
Okoreeh-Baah, *In re* 84
Pennsylvania Dep't of Pub. Welfare v. Johnson-Allen [42,156] 504
Chapter 13/Good Faith Requirement
Hardin v. Caldwell (*In re* Caldwell) 692
Okoreeh-Baah, *In re* 84
Chapter 13/Mortgage Foreclosure
Bundles v. Baker (*In re* Bundles) 831
Capps, *In re* 84
Lane v. Goldome Credit Corp. [43,699] 658
Contempt
Soiett v. VA [44,137] 1131
Discharge
Capps, *In re* 84
Long v. Medici [43,153] 518
Pennsylvania Dep't of Pub. Welfare v. Johnson-Allen [42,156] 504
Sears v. Stinson 297
Discharge/Unsecured Debt
Davenport v. Pennsylvania Dep't of Pub. Welfare [43,294] 54, 657
Discrimination
Watts, *In re* [42,578] 1131
Exemptions
Stringer, *In re* 536
Exemptions/Homestead
Love v. Pahl [43,441] 265

Fraud
Bundles v. Baker (*In re* Bundles) 831
Lien Avoidance
Love v. Pahl [43,441] 265

BIRTH CONTROL

See also ABORTION, WOMEN'S RIGHTS
Abortions/Medicaid/Medically Necessary
Urbish v. Lamm 1195

BLACK LUNG BENEFITS

Velasquez v. Director, Office of Workers' Compensation Programs, U.S. Dep't of Labor 296
Delay in Processing
Cresto v. Director of Office of Workers' Compensation Programs [43,296] 60, 1147
Eligibility
Amax Coal Co. v. Burns 835
Director, Office of Workers' Compensation Programs v. Midland Coal Co. 835
Hillibush v. United States Dept. of Labor Benefits Review Bd. 695
Mitchell v. Director, Office of Workers' Compensation Programs 835
Mussatto v. Director, Office of Workers' Compensation Programs 835
Riley v. National Mines Corp. 695
Eligibility as Primary Defense
Cresto v. Director of Office of Workers' Compensation Programs [43,296] 60, 1147
Pancake v. Amax Coal Co. 1195
Shreve v. DOL 1449
Judicial Review
Amax Coal Co. v. Burns 835
Cresto v. Director of Office of Workers' Compensation Programs [43,296] 60, 1147
Curse v. Director, Office of Workers Compensation Programs 299
Director, Office of Workers' Compensation Programs v. Midland Coal Co. 835
Farmer v. Rogers 192
Leopard v. Director, Office of Workers Compensation Programs 1195
Mussatto v. Director, Office of Workers' Compensation Programs 835
Nance v. Benefits Review Bd., DOL 1194
North Am. Coal Corp. v. Director, Office of Workers' Compensation Program 836
Pothering v. Parkson Coal Co. 1328
Shendock v. Director, Office of Workers' Compensation Programs 1329
Worker Compensation v. Forrester 1195
Judicial Review/ALJ's Refusal to Subpoena Evidence
Hillibush v. United States Dept. of Labor Benefits Review Bd. 695
Medical Criteria
Taylor v. Peabody Coal Co. 192
Standard of Review
Cresto v. Director of Office of Workers' Compensation Programs [43,296] 60, 1147
Director, Office of Workers' Compensation Programs v. Midland Coal Co. 835
Pancake v. Amax Coal Co. 1195
Pothering v. Parkson Coal Co. 1328
Riley v. National Mines Corp. 695
Taylor v. Peabody Coal Co. 192

CIVIL PROCEDURE

See also ADMINISTRATIVE LAW, DUE PROCESS

Abstention
Edward v. Williams 1324
Kelly v. Lopeman [41,535] 197
Sevier v. Turner [43,333] 57

Access to Courts
Orzechowski v. Applegate 693

Admissions/Withdrawal of
Smith v. First Nat'l Bank of Atlanta 190

Appeals
Greenhow v. Secretary of HHS 538

Appeals/Appealability
Duran v. Carruthers [43,262] 53
Hagner Management Corp. v. Lawson [43,207] 69
Harper v. Bowen 832

Appeals/Class Certification
Crum v. Housing Auth. of Tampa [34,235] 190, 267
Farlough v. Smallwood [39,424] 417

Appeals/Clerical Mistakes
Salgado v. Jackson [44,064] 1133

Appeals/Collateral Orders
Harper v. Bowen 832

Appeals/Extension of Filing Time
Berg v. Bowen 1333
Johnson v. Swann 1450
Wong v. Bowen 831

Appeals/Failure to Participate
Littler v. South Dakota Dep't of Labor [43,726] 659

Appeals/Final Judgment
H., Lynette, *In re* 1330
Harper v. Bowen 832

Appeals/Interlocutory Order
Pruett v. Pruett 833
Duran v. Carruthers [43,262] 53
McQueen v. Lustine Realty [43,833] 778
North School Congregate Hous. Partners v. Merrithew [43,955] 1160

Appeals/Mandamus
Ramirez v. Rivera-Dueno 1323

Appeals/Notice
H., Lynette, *In re* 1330
Houston v. Lack 418

Appeals/Records
Salgado v. Jackson [44,064] 1133
Unemployment Appeals Comm'n v. Gretz 84

Appeals/Remand
Chisom v. Edwards 190
Garvin v. Secretary of HHS [43,362] 182

Appeals/Stay of Execution
Dillion v. City of Chicago 413

Bonds
Ysasi v. Rivkind [39,827] 804

Bonds/Supercedeas
Dillion v. City of Chicago 413

Cause of Action/Failure to Make Required Allegations
Fredericks v. Durham [41,401] 794
MacDonnell v. INS 837

Cause of Action/Federal Statutory Rights/ Section 1983
Young v. Cutter Biological 839

Collateral Estoppel
Kelley v. TYK Refractories Co. 1189
Reed v. City of Springfield 1448
Storey v. Meijer, Inc. [42,660] 787

Comity
DeFender v. Zephier [44,120] 1165

Complaints/Failure to State Claim
Jones v. Bowen 841
Mont v. Heintz [43,368] 162, 545
Thornton v. Hunt 699

Consent Decrees
Ahern v. Central Pac. Freight Lines 412
United States v. Michigan 195

Consent Decrees/Class Actions
Walker v. City of Mesquite [42,158] 1189

Consent Decrees/Modification
Plyler v. Evatt 419
Twelve John Does v. District of Columbia 1197, 1330

Consent Decrees/Refusal to Enter
Agee v. Duffy [34,816] 686, 823

Contempt
Chapman v. Department of Health & Rehabilitative Servs. 86

Contempt/Civil
Fain, *Ex parte* [43,394] 165
Fields v. Fields 297
King v. Department of Social & Health Servs. 697
Pennsylvania Dep't of Pub. Welfare v. Alessi 832
Peppers v. Barry [43,861] 777
United States v. City of Yonkers 835
Weidner v. Alaska 1323

Contempt/Criminal
Hicks v. Feiock 190
King v. Department of Social & Health Servs. 697
Throneberry, *In re* 833
Weidner v. Alaska 1323

Costs
Georgia Ass'n of Retarded Citizens v. McDaniel [30,742] 830, 832

Counterclaims/Third-Party Practice
Clark v. Kizer [43,105] 268

Court Costs
City of Detroit v. Mooring [44,073] 1173
Kyle v. Albright [43,454] 269

Court Costs/Transcripts
Brady v. Youngstown Mun. Court [44,208] 1289

Default Judgment/Vacation of
General Motors Acceptance v. Greene [43,432] 268

Discovery
Hollis v. United States Dep't of Army 1200

Discovery/Availability
Evans, *In re* [43,288] 55
Torres v. Florida Dep't of Health & Rehabilitative Servs. 90
Z., *In re* [44,136] 1158
Discovery/Compelled Discovery
Babets v. Secretary of Executive Office of Human Servs. 832
Hussion v. Lyng [41,616] 163
North Carolina Council of Churches Hous. Dev. Corp. v. FmHA [44,041] 1132
Discovery/Depositions/Persons Subject to Examinations
W., Gary v. Louisiana Dept. of Health & Human Resources [14,420] 1323
Discovery/Failure to Obey Orders
General Motors Acceptance v. Greene [43,432] 268
Discovery/Motions
Hussion v. Lyng [41,616] 163
Discovery/Persons Subject
Belle Bonfils Memorial Blood Center v. District Court 1189
Discovery/Privileged Matter
Babets v. Secretary of Executive Office of Human Servs. 832
Belle Bonfils Memorial Blood Center v. District Court 1189
W., Gary v. Louisiana Dept. of Health & Human Resources [14,420] 1323
Z., *In re* [44,136] 1158
Discovery/Production of Documents/Privileged Matter
North Carolina Council of Churches Hous. Dev. Corp. v. FmHA [44,041] 1132
Discovery/Protective Order
North Carolina Council of Churches Hous. Dev. Corp. v. FmHA [44,041] 1132
Discretion of Court
Segal v. Sacco 1324
Discretion of Court/Abstention Doctrine
Beltran v. California 1189
Discretion of Court/Sua Sponte
Smith-Bey v. Cripe 698
Dismissal of Action
YWCA of Canton, Inc. v. Hager [43,650] 518
Dismissal of Action/Defects in Jurisdiction
James v. Hodel 1330
Mondy v. Secretary of the Army [43,476] 267
Mont v. Heintz [43,368] 162, 545
Dismissal of Action/Failure to Comply with Orders
Bailey v. Austin 297
Dismissal of Action/Failure to Prosecute Action
Alabama *ex rel.* Baker v. McCloud 84
Smith-Bey v. Cripe 698
Dismissal of Action/Formal Notice
Smith-Bey v. Cripe 698
Dismissal of Action/Grounds
Price v. Wilzack [41,527] 167
Robinson v. Sizes Unlimited, Inc. 544
Segal v. Sacco 1324
Dismissal of Action/With Prejudice
Alabama *ex rel.* Baker v. McCloud 84
Dismissal of Action/Without Prejudice
Price v. Wilzack [41,527] 167
Estoppel
Karliner v. Bowen 93
United States v. Vonderau 198
Execution of Judgment
Lewey v. Chelsea Div. of Dist. Court [43,848] 779
Exhaustion of Remedies
Secor v. Richmond School Joint Dist. 695
Federal Courts/Jurisdiction
Bowen v. Massachusetts [43,488] 390
Cale v. Johnson 1330
Doan v. Secretary of HHS 197
Mont v. Heintz [43,368] 162, 545
Federal Courts/Pendent Jurisdiction
Burger v. Health Ins. Plan of Greater N.Y. 415
Federal Courts/Removal
Maine Ass'n of Interdependent Neighborhoods v. Commissioner Me. Dep't of Human Serv. [43,647] 514, 1324
Habeas Corpus
Fain, *Ex parte* [43,394] 165
Immunity
Chapman v. Department of Health & Rehabilitative Servs. 86
Church of the Lukumi Babalu Aye v. City of Hialeah [43,548] 393
Cole v. Newton Special Mun. Separate School Dist. 87
Doe v. Hennepin County 1196
J., L. v. Massinga [43,403] 175, 1329
Kelly v. Lopeman [41,535] 197
Muth v. Central Bucks School Dist. 192
Shelly v. Johnson 538
Tindell v. Rogosheske 415
Warner v. Graham 87
Young v. Cutter Biological 839
Immunity/Punitive Damages
Schweiker v. Chilicky 421
Immunity/Qualified
Doe v. Bobbitt 1329
Duerscherl v. Foley 297
Jones v. Preuit & Mauldin [41,290] 692
Malik v. Tanner 1331
Mendez-Suarez v. Veles 1331
Shabazz v. Coughlin 698
Wood v. Sunn 699
Woods v. White 699
Zaire v. Dalsheim 1331
Immunity/Sovereign
Bennett v. White [27,044] 505, 1132, 1313
Bowen v. Massachusetts [43,488] 390
Cotton v. Mansour [37,134] 1295
I. v. Clausen 84

Mont v. Heintz [43,368] 162, 545
Injunctions
George v. Donovan 695
Injunctions/Preliminary Injunction
Martinez v. School Bd. of Hillsborough County 88, 835, 1326
Perales v. Meese 542
Sanchez v. Board of Supervisors of Los Angeles County [43,332] 63
Issue Preclusion
Kelley v. TYK Refractories Co. 1189
Morrison v. Steinbacher [43,393] 183
Joinder/Parties
Williams v. Illinois State Bd. of Elections 1188, 1189, 1192
Judgments
Landoll v. Dovell 692
Judgments/Enforcement
First Nat'l Bank of Ada v. Arles [43,788] 780
Hill v. Southside Pub. Schools 692
Smith v. Bounds [16,775] 74, 195
Judgments/Enforcement/Execution
Todd v. Romano 1444
Judgments/Finality
H., Lynette, *In re* 1330
Judgments/Full Faith and Credit
Yang v. Bowen [43,694] 681
Judgments/N.O.V.
Pudge v. Fruehauf Corp. 834
Judgments/N.O.V./Relation to Motion for New Trial
McCartney v. Barg [33,767] 808
Judgments/Vacation of Judgments
Sioux Tribe v. United States 1330
Jurisdiction
Johnson v. Cohen [38,485] 78
Young v. Riley [43,485] 410
Jurisdiction/Case and Controversy
H., Lynette, *In re* 1330
Jurisdiction/Defects in Jurisdiction/Dismissals
Beltran v. California 1189
Maine Ass'n of Interdependent Neighborhoods v. Commissioner Me. Dep't of Human Serv. [43,647] 514, 1324
Jurisdiction/Defects in Jurisdiction/Subject Matter
Augoustinakis v. INS 837
Jones v. Bowen 841
McDonald v. Bowen 1333
Mondy v. Secretary of the Army [43,476] 267
Young v. Cutter Biological 839
Jurisdiction/Federal Question
Crane v. United States [42,800] 503, 1420
Hidahl v. Gilpin County Dep't of Social Servs. 1323
Maine Ass'n of Interdependent Neighborhoods v. Commissioner Me. Dep't of Human Serv. [43,647] 514, 1324
Jurisdiction/Federal Question/Collateral Estoppel
Kelley v. TYK Refractories Co. 1189
Jurisdiction/Full Faith and Credit
Hanson v. Leckey 1191
Schmit v. United States 692
Jurisdiction/Immunity
Bennett v. White [27,044] 505, 1132, 1313
Ysasi v. Rivkind [39,827] 804
Jurisdiction/Notices
Deflorio v. Crooks [43,696] 672
Jurisdiction/Pendent
Robinson v. Sizes Unlimited, Inc. 544
Jurisdiction/Personal/Defects
Pennsylvania Dep't of Pub. Welfare v. Alessi 832
Jurisdiction/Personal/Subsequent Pleading
Lenhardt, Marriage of, *In re* 1325
Jurisdiction/Removal of Actions/Case in State Court
Lee v. General Motors Corp. 413
Lewis v. Lewis 1189
Vermont Dep't of Social Welfare v. Lamb [43,319] 59, 273, 1132
Jurisdiction/Removal of Actions/Federal Jurisdiction
Maine Ass'n of Interdependent Neighborhoods v. Commissioner Me. Dep't of Human Serv. [43,647] 514, 1324
Vermont Dep't of Social Welfare v. Lamb [43,319] 59, 273, 1132
Jurisdiction/Removal of Actions/Remand
Vermont Dep't of Social Welfare v. Lamb [43,319] 59, 273, 1132
Jurisdiction/Service of Process/Insufficiency
Lastrapes v. Housing Auth. of Opelousas [43,672] 670, 1153
Jurisdiction/Service of Process/Summons/Defects
Lubniewski v. United States Dep't of the Navy 298
Jurisdiction/Service of Process/Time
Mondy v. Secretary of the Army [43,476] 267
Segal v. Sacco 1324
Jurisdiction/Venue
Nebraska v. Adams 1190
Jury Trial/After Removal
North School Congregate Hous. Partners v. Merrithew [43,955] 1160
Laches
Taylor v. Marshall Plaza II [44,277] 1432
Wigginton v. Kentucky *ex rel.* Caldwell 1446
Mandamus
Brady v. Youngstown Mun. Court [44,208] 1289
George v. Donovan 695
Ramirez v. Rivera-Dueno 1323
Scalise v. Meese 699
Masters
Young v. Pierce [41,451] 65
Mootness
Crum v. Housing Auth. of Tampa [34,235] 190, 267
New Trial/Grounds
Masciulli v. Martin [43,472] 269

Notices
Felder v. Casey [42,957] 391
Parties/Class Suits
Farlough v. Smallwood [39,424] 417
Wood v. Lee [43,555] 405, 1308
Parties/Intervention
League of United Latin Am. Citizens v. Clements [43,595] 507, 1424
United States v. Oregon 189
Walker v. City of Mesquite [42,158] 1189
Parties/Proper Parties
D. v. Sobel 691
Town of Brookhaven v. Marian Chun Enters. [43,639] 658
Parties/Standing
Maine Ass'n of Interdependent Neighborhoods, Inc. v. Petit [35,253] 1454
Pulido v. Bennett 538
Pleadings/Adequacy
Salahuddin v. Cuomo 1189
Pleadings/Amendment
Coventry v. United States Steel Corp. 834
Pleadings/Burden of Proof
Doe v. Centinela Hosp. [43,596] 512
Pleadings/Claims for Relief
Bhama v. Bhama 832
Pleadings/Filing
Houston v. Lack 418
Toliver v. Sullivan County 189
Pleadings/Form
Williams v. Illinois State Bd. of Elections 1188, 1189, 1192
Pleadings/Specificity
Ornelas v. Safeway Ins. [43,791] 779
Private Right of Action
Ornelas v. Safeway Ins. [43,791] 779
Pleune v. Pierce [42,180] 798
Punitive Damages
Mudd v. District of Columbia Rental Hous. Comm'n [43,860] 807
Schweiker v. Chilicky 421
Shopko Stores v. Kujak [43,390] 163
Racketeer Influenced and Corrupt Organizations Act
Craig v. Wells [42,031] 656
Ornelas v. Safeway Ins. [43,791] 779
Res Judicata
Arteaga v. Industrial Claim Appeals Office [38,764] 289
Bailey v. Austin 297
Bhama v. Bhama 832
Cook v. Ochsner Found. Hosp. [3973] 1298
Eastern Paralyzed Veterans Ass'n of Pa. v. Sykes 88, 1328
Theus v. Theus [43,761] 785
Ripeness
Ramirez v. Webb [31,766] 89
Small Claims Court
Shopko Stores v. Kujak [43,390] 163
Standing to Sue
Clark v. Kizer [43,105] 268
Crane v. United States [42,800] 503, 1420
Haitian Refugee Center, Inc. v. Nelson 837
Lee v. General Motors Corp. 413
Maine Ass'n of Interdependent Neighborhoods v. Commissioner Me. Dep't of Human Serv. [43,647] 514, 1324
Maine Ass'n of Interdependent Neighborhoods, Inc. v. Petit [35,253] 1454
Pleune v. Pierce [42,180] 798
Pulido v. Bennett 538
Riveria v. MAB Collections [43,329] 55
Skipper v. Duffy [37,338] 788, 1295
Wood v. Lee [43,555] 405, 1308
Younger v. Turnage 94
Statute of Limitations
D. v. Sobel 691
Ellis v. Ellis 1190
Guthmiller v. North Dakota Dep't of Human Servs. 414
M. v. Board of Educ. of the New York City School Dist. 692
Thomas v. Bennett [42,340] 779
Statute of Limitations/Against United States
Hopland Band of Pomo Indians v. United States 1197
Lubniewski v. United States Dep't of the Navy 298
Sisseton-Wahpeton Sioux Tribe v. United States 697
Statute of Limitations/Computation of Time
Hyde v. Hibernia Nat'l Bank 1324
Toliver v. Sullivan County 189
Statute of Limitations/ Computation of Time/ Enforcement of Judgment
Lane v. Goldome Credit Corp. [43,699] 658
Statute of Limitations/Computation of Time/Extension
Doe v. Bobbitt 1329
Statute of Limitations/Computation of Time/Tolling
C., C.L., *In re* 1447
Mondy v. Secretary of the Army [43,476] 267
Stay
Hagner Management Corp. v. Lawson [43,207] 69
Stay/Pending Appeal
Tillman v. Housing Auth. of Pittsburgh [43,352] 173, 796
Subpoenas
Peters v. United States [43,691] 673
Summary Judgments
Cosby v. Ward [34,728] 183, 304
Summons/Issuance
Kyle v. Albright [43,454] 269
Temporary Restraining Order
Perales v. Meese 542

Transcripts
Unemployment Appeals Comm'n v. Gretz 84
Venue and Transfer
Sellers v. United Home Food Distrib., Inc. [44,043] 1136
Venue and Transfer/Corporations and Associations
Dominion Bank, *In re* [43,855] 783, 1425
Venue and Transfer/Transfers
Data Gen. Corp. v. Southwest Research Inst. 1189
Venue and Transfer/Where Claim Arose
Data Gen. Corp. v. Southwest Research Inst. 1189
Waiver/Statute of Limitations
Greenhow v. Secretary of HHS 538
Writs
Scalise v. Meese 699

CIVIL RIGHTS

See also DUE PROCESS, EQUAL PROTECTION, PRIVACY
Jackson v. Birmingham Bd. of Educ. 1193
Equal Protection
Cooper v. Utah 538
Gagnon v. Atkins [43,814] 789
Jabbari v. Illinois Human Rights Comm'n 1193
Federal Funding/Enforcement
Adams v. Bennett 84
First Amendment
Bolduc v. City of Lewiston [43,651] 531, 1183
Bowen v. Kendrick 413
Howard Gault Co. v. Texas Rural Legal Aid [43,623] 520
Thorne v. Bailey 414
Freedom of Association
Lyng v. International Union-UAW [37,553] 58
Petitioner & Respondent, Marriage of, *In re* [42,136] 785
Freedom of Religion
Abdool-Rashaad v. Seiter 840
Church of the Lukumi Babalu Aye v. City of Hialeah [43,548] 393
Fromer v. Skully 840
Smith v. Employment Div. [43,961] 1165
Freedom of Speech
Sturm v. Clark 91
Thorne v. Bailey 414
Freedom of the Press
Barron v. Florida Freedom Newspapers, Inc. 1324
Immunity
Duerscherl v. Foley 297
McCartney v. Barg [33,767] 808
Savidge v. Fincannon 88
Snell v. Tunnell 1329
Minority Representation
Chisom v. Edwards 834
East Jefferson Coalition for Leadership & Dev. v. Jefferson Parish 834
Neal v. Coleburn 834
Pro Se Complaint
Salahuddin v. Cuomo 1189
Pro Se Complaint/Sua Sponte Dismissal
Cale v. Johnson 1330
Search and Seizure
Flores v. Meese [39,665] 68, 674
Glover v. Eastern Neb. Community Office of Retardation 539
Lopez Lopez v. Aran 417, 1329
Ramirez v. Webb [31,766] 89
Russell County Dep't of Social Servs. v. Gilbert [44,079] 1157
Section 1981
Vance v. Southern Bell Tel. & Tel. Co. 1447
Section 1983
A., Del v. Edwards [41,204] 1196
Bolduc v. City of Lewiston [43,651] 531, 1183
Brandt v. Board of Coop. Educ. Servs. 415
Cole v. Newton Special Mun. Separate School Dist. 87
Cooper v. Utah 538
Davis v. Mobile Consortium of CETA 1193
Doe v. Bobbitt 1329
Felder v. Casey [42,957] 391
Hood v. Alabama State Personnel Bd. 87
Howard Gault Co. v. Texas Rural Legal Aid [43,623] 520
Jones v. Preuit & Mauldin [41,290] 692
Lee v. County of Cook 1327
McCartney v. Barg [33,767] 808
Mengel v. Collins [43,768] 662
Smith v. Eley 86
Snell v. Tunnell 1329
Stensvad v. Towe 832
Vanscoy v. Hicks 839
West v. Atkins [41,889] 418
Section 1985
Washington v. Duty Free Shoppers 1324
State Action
Albert v. Carovano 693
Cooper v. Utah 538
Title VI
Committee for a Better North Philadelphia v. Southeastern Penn. Transp. Auth. [43,324] 76
Cook v. Ochsner Found. Hosp. [3973] 1298

CLASS ACTION

See also CIVIL PROCEDURE
Adequacy of Representation
Reed v. Bowen [33,793] 538
Certification
Adamson v. Bowen [38,531] 777
Crum v. Housing Auth. of Tampa [34,235] 190, 267
Reed v. Bowen [33,793] 538
United Farm Workers of Am. v. INS [42,723] 67, 283, 804
Williams v. Illinois State Bd. of Elections 1188, 1189, 1192
Wood v. Lee [43,555] 405, 1308

Class Definition
Crum v. Housing Auth. of Tampa [34,235] 190, 267
Dismissal
Crum v. Housing Auth. of Tampa [34,235] 190, 267
Federal Rule 23/Act Applicable to Class
Adamson v. Bowen [38,531] 777
Federal Rule 23/Adequacy of Representation
Frazier v. Southeastern Pa. Transp. Auth. [44,187] 1294
Lucas v. Bowen [42,577] 1314
Wood v. Lee [43,555] 405, 1308
Federal Rule 23/Commonality
Frazier v. Southeastern Pa. Transp. Auth. [44,187] 1294
Federal Rule 23/Standing
Wood v. Lee [43,555] 405, 1308
Federal Rule 23/Typicality
Frazier v. Southeastern Pa. Transp. Auth. [44,187] 1294
Judgments
Walker v. City of Mesquite [42,158] 1189
Jurisdiction
Brady v. Bowen [43,892] 777
Mootness
Crum v. Housing Auth. of Tampa [34,235] 190, 267
Mootness/Representative Claims
Wood v. Lee [43,555] 405, 1308
Notices
Blankenship v. Secretary of HHS [15,795] ... 1199, 1309
Settlements
J., L. v. Massinga [43,403] 175, 1329
Subclasses
Williams v. Illinois State Bd. of Elections 1188, 1189, 1192

COMMUNITY DEVELOPMENT

Dallas County Community Action Comm., *Ex parte* [44,203] 1292

CONSUMER

See also ATTACHMENT, AUTOMOBILES, CONTRACTS, GARNISHMENT, LIENS, REPOSSESSION, TRUTH IN LENDING
Advertising
Buenrostro v. Washington State Apple Advertising Comm'n [43,373] 179
Collection Practices
Gillespie v. Cherry Creek Nat'l Bank [43,321] 55
Steeley v. Dunivant 297
Collection Practices/Abuse of Process
Dominion Bank, *In re* [43,855] 783, 1425
Sellers v. United Home Food Distrib., Inc. [44,043] 1136
Collection Practices/Communication
Howard v. Recovery Consultant, Inc. [43,766] 782
Collection Practices/Deceptive Practices
Federal Land Bank of Wichita v. Frech [43,843] 813
Collection Practices/Deceptive Practices/Contacting Debtor's Employer
Merchant v. Nationwide Collection Serv. [43,382] ...164
Collection Practices/Deceptive Practices/Threats
Ewing v. Messerli [44,251] 1421
Swanson v. Southern Or. Credit Serv. [44,188] 1289
Collection Practices/Emotional Distress
Masciulli v. Martin [43,472] 269
Stensvad v. Towe 832
Collection Practices/Fair Debt Collection Practices Act/Communication
Crossley v. Lieberman [43,302] 56, 504
Emanuel v. American Credit Exch. [44,040] 1133
Hardin v. Folger [44,134] 1134
Littles v. Lieberman [43,303] 56
Merchant v. Nationwide Collection Serv. [43,382] ...164
Collection Practices/Fair Debt Collection Practices Act/Deceptive Notices
Ewing v. Messerli [44,251] 1421
Fishman v. North Shore Agency [43,881] 782
Pipiles v. Credit Bureau of Lockport [44,083] 1133
Swanson v. Southern Or. Credit Serv. [44,188] 1289
Collection Practices/Fair Debt Collection Practices Act/Notice Requirements
Emanuel v. American Credit Exch. [44,040] 1133
Hardin v. Folger [44,134] 1134
Howard v. Recovery Consultant, Inc. [43,766] 782
Pipiles v. Credit Bureau of Lockport [44,083] 1133
Riveria v. MAB Collections [43,329] 55
Schroeder v. Gurvis [43,762] 780
Collection Practices/Fair Debt Collection Practices Act/Validity of Debt
Fishman v. North Shore Agency [43,881] 782
Pipiles v. Credit Bureau of Lockport [44,083] 1133
Collection Practices/False and Misleading Statements/Threat of Legal Action
Crossley v. Lieberman [43,302] 56, 504
Littles v. Lieberman [43,303] 56
Pipiles v. Credit Bureau of Lockport [44,083] 1133
Riveria v. MAB Collections [43,329] 55
Collection Practices/False and Misleading Statements/Threat with Criminal Prosecution
Ewing v. Messerli [44,251] 1421
Merchant v. Nationwide Collection Serv. [43,382] ...164
Collection Practices/Home Improvement Contracts
Lane v. Goldome Credit Corp. [43,699] 658
Collection Practices/Statutory Damages
Howard v. Recovery Consultant, Inc. [43,766] 782
Collection Practices/Unfair Practices
Dominion Bank, *In re* [43,855] 783, 1425
Masciulli v. Martin [43,472] 269
Sellers v. United Home Food Distrib., Inc. [44,043] 1136
Consumer Fraud Act
Heastie v. Community Bank of Greater Peoria [43,723] 659
Irving v. Walker [44,269] 1421

Rodriguez v. Wilfred Academy of Hair & Beauty Culture [44,176] 1290

Consumer Protection Act

Footville State Bank v. Harvell 1444
Orlando v. Finance One of W. Va., Inc. 538
Reliable Stores v. York [43,552] 393
Transamerica Fin. Corp. v. Superior Court 85
U.S. Home & Realty Corp. v. Lehnartz [43,259] 57

Credit Cards/Liability

Footville State Bank v. Harvell 1444

Credit Practices

Orlando v. Finance One of W. Va., Inc. 538

Credit Practices/Conditions of Loans

Besta v. Beneficial Loan Co. 832

Credit Reports

Franco v. Kent Farm Village [44,149] 1290

Credit Reports/Libel and Negligence

Hyde v. Hibernia Nat'l Bank 1324
Smith v. First Nat'l Bank of Atlanta 190

Credit Terms

Besta v. Beneficial Loan Co. 832

Credit Unions

Aurora Firefighter's Credit Union v. Harvey 86

Damages

Shopko Stores v. Kujak [43,390] 163
Vieweg v. Friedman 832

Damages/Antitrust

Thompson v. Midwest Found. Indep. Physicians Ass'n [43,462] 275

Damages/Collection Practices

Fishman v. North Shore Agency [43,881] 782
Howard v. Recovery Consultant, Inc. [43,766] 782
Masciulli v. Martin [43,472] 269
Stensvad v. Towe 832

Debtor Harassment

ITT Fin. Servs. v. Hannona [43,402] 270

Deceptive Practices

Frazier v. Priest [44,061] 1160
Molina v. Crown Business Inst. N.Y.C., Inc. [44,118] 1135
Smith v. Smith 1188

Deceptive Practices/Evidence

Danny Darby Real Estate, Inc. v. Jacobs 1444

Deficiency Judgment

Coward v. Maryland Nat'l Bank [43,469] 269
Keeling v. Ford Motor Credit [43,377] 269, 1444
Kentucky Fin. Co. v. Miller [43,297] 56
Whitehead v. Turnage [43,805] 801

Deficiency Judgment/Private Sales

Mellon Bank v. Dougherty [43,841] 781

Discrimination

Washington v. Duty Free Shoppers 1324

Door-to-Door Sales

ITT Fin. Servs. v. Hannona [43,402] 270

Equal Credit Opportunity Act/Unfair Lending Practices of Banks

Perez v. Bank of the W. [44,263] 1423

Fair Credit Reporting Act

Duncan v. Sabal Palms I Assoc. [44,209] 1302
Franco v. Kent Farm Village [44,149] 1290

Fair Credit Reporting Act/Consumer Reporting Agency

Hyde v. Hibernia Nat'l Bank 1324

Fair Credit Reporting Act/ Consumer Reporting Agency/ Definition

Smith v. First Nat'l Bank of Atlanta 190

Fair Credit Reporting Act/Defamation

Smith v. First Nat'l Bank of Atlanta 190

Fraud and Misrepresentation

Acosta v. North Jersey Secretarial School [43,437] 272
Bennerson v. Small 297
Buenrostro v. Washington State Apple Advertising Comm'n [43,373] 179
Danny Darby Real Estate, Inc. v. Jacobs 1444
Heastie v. Community Bank of Greater Peoria [43,723] 659
ITT Fin. Servs. v. Hannona [43,402] 270
Ornelas v. Safeway Ins. [43,791] 779
Ramsey v. Keever's Used Cars 1444
Reliable Stores v. York [43,552] 393
Rodriguez v. Wilfred Academy of Hair & Beauty Culture [44,176] 1290
Rosario v. Livaditis [44,042] 1134
Thomas, *In re* [43,447] 282
Thompson v. Midwest Found. Indep. Physicians Ass'n [43,462] 275

Fraud and Misrepresentation/General

Chrysler Credit Corp. v. Howard [43,687] 661
Molina v. Crown Business Inst. N.Y.C., Inc. [44,118] 1135

Home Improvement Contracts

Spencer v. Aetna Fin. [43,781] 781

Home Improvement Contracts/Deceptive Practices

Insured Fin. Acceptance v. Hill [44,268] 1422
Jiminez v. The Dartmouth Plan [44,282] 1422
Sanchez v. Century One Builders & Inv. [43,829] 781

Home Improvement Contracts/Failure to Perform Promised Services

Evans v. Chrysler First Consumer Discount Co. [43,983] 1135

Home Improvement Contracts/Truth in Lending Violations

Community Bank of Greater Peoria v. Love [44,281] 1422
Evans v. Chrysler First Consumer Discount Co. [43,983] 1135
Jiminez v. The Dartmouth Plan [44,282] 1422
Lane v. Goldome Credit Corp. [43,699] 658
Sanchez v. Century One Builders & Inv. [43,829] 781

Home Sales

Flagstaff Realty v. Ned [43,440] 285

Home Solicitation Sales
ITT Fin. Servs. v. Hannona [43,402] 270
Installment Sales
Coward v. Maryland Nat'l Bank [43,469] 269
Yates v. Goldome Credit Corp. [44,186] 1291
Installment Sales/Sale of Repossessed Collateral
Keeling v. Ford Motor Credit [43,377] 269, 1444
Joint Obligors
Radiology v. Connor [43,828] 782
Land Sales
Bennerson v. Small 297
Liens
Lane v. Goldome Credit Corp. [43,699] 658
Loans
Besta v. Beneficial Loan Co. 832
Dominion Bank, *In re* [43,855] 783, 1425
Federal Land Bank of Wichita v. Frech [43,843] 813
First Nat'l Bank of Ada v. Arles [43,788] 780
Heastie v. Community Bank of Greater Peoria [43,723] 659
Irving v. Walker [44,269] 1421
Roper v. Metropolitan Mortgage [43,703] 661
Spencer v. Aetna Fin. [43,781] 781
Transamerica Fin. Corp. v. Superior Court 85
Mobile Homes
Daddona v. Liberty Mobile Home Sales, Inc. 1450
Mobile Homes/Fraud in Sales
Thomas, *In re* [43,447] 282
Odometer Tampering
Anderson v. KP's Auto World [43,260] 56
Jones v. Hanley Dawson Cadillac Co. 538
Lindsey v. Anderson & Sons Auto Sales, Inc. 831
May v. Oldfield 1324
Oettinger v. Lakeview Motors, Inc. 85
Rental Agreements
Chrysler Credit Corp. v. Howard [43,687] 661
Rental Agreements/Rent-to-Own
Diamond Rental Center v. Rodgers [43,670] 660
Robinson v. E-Z Rentals [43,616] 505
Repossession
Keeling v. Ford Motor Credit [43,377] 269, 1444
Rescission
Gambrill v. Alfa Romeo, Inc. 1324
Jiminez v. The Dartmouth Plan [44,282] 1422
Retail Installment Sales Act
Atchley v. Consumer Lease Network [43,822] 782
Revocation
Lytle v. Roto Lincoln Mercury & Subaru, Inc. 414
Secured Transactions
Spencer v. Aetna Fin. [43,781] 781
Unauthorized Practices
Lawline v. American Bar Ass'n [43,777] 775
Unconscionability
Besta v. Beneficial Loan Co. 832
Evans v. Chrysler First Consumer Discount Co. [43,983] 1135
Howard v. Recovery Consultant, Inc. [43,766] 782
Yates v. Goldome Credit Corp. [44,186] 1291
Unfair and Deceptive Trade Practices
Daddona v. Liberty Mobile Home Sales, Inc. 1450
Danny Darby Real Estate, Inc. v. Jacobs 1444
Ford Motor Credit Co. v. Dubs [43,354] 164
Norm's Heating & Air Conditioning v. Payne [44,168] 1290
Roper v. Metropolitan Mortgage [43,703] 661
Unfair and Deceptive Trade Practices/Applicability to Automobile Sales
Ramsey v. Keever's Used Cars 1444
Uniform Commercial Code/Sales
Vieweg v. Friedman 832
Usury
Atchley v. Consumer Lease Network [43,822] 782
U.S. Home & Realty Corp. v. Lehnartz [43,259] 57
Usury/Applicability to Sale of Real Property
Henslee v. Madison Guar. Sav. & Loan 1444
Waivers
Norm's Heating & Air Conditioning v. Payne [44,168] 1290
Warranties/Breach
Yates v. Goldome Credit Corp. [44,186] 1291
Warranties/Magnuson-Moss Warranty Act
Lytle v. Roto Lincoln Mercury & Subaru, Inc. 414
Rose v. A & L Motor Sales 1324
Vieweg v. Friedman 832

CONTRACTS

See also CONSUMER
Assignment Enforceability
Jetton v. Caughron [43,765] 780
Breach
Pet Haven Grooming Salon v. Nunn [43,819] 787
Covenants
Pet Haven Grooming Salon v. Nunn [43,819] 787
Language Requirements
Sanchez v. Century One Builders & Inv. [43,829] 781
Release
Flagstaff Realty v. Ned [43,440] 285
Rescission
Jetton v. Caughron [43,765] 780
Norm's Heating & Air Conditioning v. Payne [44,168] 1290
Westhampton Mortgage Co. v. Keys [43,389] 165

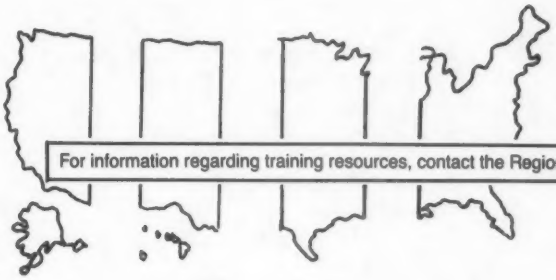
CRIMINAL LAW AND PROCEDURE

See also EVIDENCE, PARDON AND PAROLE, PRISONS
Civil Damages
Shopko Stores v. Kujak [43,390] 163

Domestic Violence
Kansas v. Stewart 1190
Habeas Corpus
Thorne v. Bailey 414
Habeas Corpus/Exhaustion of State Judicial Remedies
Greer v. St. Tammany Parish Jail 839
Melvin v. Nickolopoulos 1452
Records/Access
Hodges v. Scully 832
Speedy Trial
Greer v. St. Tammany Parish Jail 839
Victims/Assistance to Victims
Czachorowski v. Degenhart [44,099] 1138
Victims/Compensation
Scott v. Labor & Indus. Relations Comm'n 1324

DAY CARE

Termination Hearings
M., *In re* [44,291] 1435



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California and Nevada

DEPENDENT AND NEGLECTED CHILDREN

King v. Department of Social & Health Servs. 697

Abandonment

K., S.S., *In re* 418

W., M., *In re* 1450

Adjudicatory Hearing/Evidentiary Rules/ Burden of Proof

M., *In re* [44,291] 1435

Adjudicatory Hearing/Right to Counsel

K., S.S., *In re* 418

Child Abuse-Neglect

Doe v. Bobbitt 1329

T., Rachel, *In re* [44,207] 1305

Child Abuse-Neglect/Care and Treatment

J. v. Chaffee [43,690] 675

Child Abuse-Neglect/Foster Homes

Brozovich v. Circle C Group Homes 1451

J., L. v. Massinga [43,403] 175, 1329

Child Abuse-Neglect/Investigations

Hidahl v. Gilpin County Dep't of Social Servs. 1323

J. v. Chaffee [43,690] 675

M., *In re* [44,291] 1435

Russell County Dep't of Social Servs. v. Gilbert [44,079] 1157

Snell v. Tunnell 1329

Child Abuse-Neglect/Parents' Liability

DeShaney v. Winnebago County Dep't of Social Servs. 1450

Child Abuse-Neglect/Person Responsible for Child's Welfare

DeShaney v. Winnebago County Dep't of Social Servs. 1450

Child Abuse-Neglect/Records/Access

Evans, *In re* [43,288] 55

Child Abuse-Neglect/Reporting Procedures/Immunity

Brozovich v. Circle C Group Homes 1451

Child Abuse-Neglect/Standards

V., J. v. Florida 89

Child Support

Brown v. McMahon [43,812] 822

Illinois *ex rel.* Sheppard v. Money 1324

Oregon v. Kitchens 1191

Wigginton v. Kentucky *ex rel.* Caldwell 1446

Custody

Cornhusker Christian Children's Home Inc. v. Nebraska Dep't of Social Servs. 1196

Shepherd v. Shepherd 1445

Custody/Attorney Fees

Gentry v. Simmons 833

Custody/Child Abuse-Neglect

Johnson v. Johnson 1191

Custody/Decree Modification

Johnson v. Johnson 1191

Kean v. Kean 1191

Knipper, *In re* 1326

Custody/Financial Responsibility

Clark v. Render 833

McCuan, *In re* 1325

Custody/Foster Parents

Jones v. Johnston [43,857] 806

Custody/Grandparents

McCuan, *In re* 1325

Custody/Interest of Child

Andre, Custody of, *In re* 1190

Gentry v. Simmons 833

Kean v. Kean 1191

Ramquist, *In re* 1451

Rollins v. Rollins 1191

Custody/Interference in Parents' Rights

Ward v. San Diego County Dep't of Social Servs. 837

Custody/Joint Custody

Rogero v. Pitt 1190

Custody/Jurisdiction

Barnett v. Klein 1445

Harper, Marriage of, *In re* 1445

Long v. Branch 1446

Custody/Mental Health of Parents

Horbatenko v. Lepkyj [44,095] 1291

Schwarcz v. Schwarcz 1447

Z., *In re* [44,136] 1158

Custody/Parents' Rights

Donald v. Polk County 90

Garcia v. Marion County Dep't of Pub. Welfare [43,392] 176

Rollins v. Rollins 1191

T., *In re* [43,675] 674

United States *ex rel.* Aslanian v. Deukmejian [44,261] 1435

Ward v. San Diego County Dep't of Social Servs. 837

Z., *In re* [44,136] 1158

Custody/Parents' Rights/ Psychiatric Examination

N., S. v. Florida Dep't of Health & Rehabilitative Servs. 1196

V., L.A., *In re* 90

Custody/Parents' Rights/ Right to Counsel

K., R., *In re* 1451

Custody/Parents' Rights/ Right to Hearing

R., Lisa, *In re* [43,388] 176

Custody/Parents' Rights/ Visitation Rights

O'Dell v. O'Bannon [26,277] 69

Custody/Residency

Rogero v. Pitt 1190

Custody/Reunification Services

J. v. Chaffee [43,690] 675

Jones v. Johnston [43,857] 806

O'Dell v. O'Bannon [26,277] 69
P. v. Johnson [43,990] 1156
T. v. Patterson [43,366] 176, 1158

Custody/Temporary Placement
Jones v. Johnston [43,857] 806
Office of the Child Advocate v. Collins [41,951] 805
T. v. Patterson [43,366] 176, 1158

Custody/Termination of Parental Rights
Jones v. Johnston [43,857] 806
Ramquist, *In re* 1451
W., M., *In re* 1450

Custody/Termination of Parental Rights/Evidentiary Standard
Dull v. Delaware County Dep't of Pub. Welfare [43,740] 1157
Utah v. Yates [43,836] 806

Custody/Termination of Parental Rights/Failure to Support
K., G.J., *In re* 833

Custody/Termination of Parental Rights/Grounds
Frederick v. Florida Dep't of Health & Rehabilitative Servs. 418
Utah v. Yates [43,836] 806

Custody/Termination of Parental Rights/Handicapped Parents/Mental Disabilities
Dull v. Delaware County Dep't of Pub. Welfare [43,740] 1157
P., S.L., *In re* 1450
V., L.A., *In re* 90

Custody/Termination of Parental Rights/Right to Counsel
Frederick v. Florida Dep't of Health & Rehabilitative Servs. 418
K., R., *In re* 1451
Utah v. Yates [43,836] 806
V., L.A., *In re* 90

Custody/Uniform Child Custody Jurisdiction Act
Barnett v. Klein 1445
Waters v. Cabinet for Human Resources 90

Dependency Proceeding
King v. Department of Social & Health Servs. 697
Torres v. Florida Dep't of Health & Rehabilitative Servs. 90
Ward v. San Diego County Dep't of Social Servs. 837
Z., *In re* [44,136] 1158

Educational Standards
Hill v. Erickson [44,096] 1158

Foster Care
A., Del v. Edwards [41,204] 1196
Addison v. Housing Auth. of Woonsocket [43,721] 671, 1430
Arneth v. Gross 1329
Babets v. Secretary of Executive Office of Human Servs. 832
J., L. v. Massinga [43,403] 175, 1329
Jones v. Johnston [43,857] 806
O'Dell v. O'Bannon [26,277] 69
T., *In re* [43,675] 674
United States *ex rel.* Aslanian v. Deukmejian [44,261] 1435

Foster Care/Monitoring/State Agencies
J. v. Chaffee [43,690] 675
J., L. v. Massinga [43,403] 175, 1329

Foster Care/Placement
Garcia v. Marion County Dep't of Pub. Welfare [43,392] 176
Hill v. Erickson [44,096] 1158
Office of the Child Advocate v. Collins [41,951] 805
P. v. Johnson [43,990] 1156

Foster Care/Records/Access
Griffith v. Johnston [44,036] 1157
Kubick v. Child & Family Serv. of Mich., Inc. 1328

Foster Care/Termination
R., Lisa, *In re* [43,388] 176

Foster Care/Training
Hill v. Erickson [44,096] 1158

Foster Care/Visitation Rights
Edward v. Williams 1324
P. v. Johnson [43,990] 1156

Interstate Compact on Placement of Children
Cornhusker Christian Children's Home Inc. v. Nebraska Dep't of Social Servs. 1196

Parents/Compelled Psychiatric Examination
N., S. v. Florida Dep't of Health & Rehabilitative Servs. 1196

Parents/Prisoners
Leasure v. Leasure 1447

Parents/Rights/Right to Copies of Records and Reports
Evans, *In re* [43,288] 55

Parents/Rights/Right to Counsel
K., R., *In re* 1451

Parents/Violation of Civil Rights
Doe v. Hennepin County 1196

Visitation Rights
Worley v. Worley 1445

Visitation Rights/Termination
Aragon, Marriage of, *In re* 1445
Ramquist, *In re* 1451
W., M., *In re* 1450

DIVORCE

See also DOMESTIC RELATIONS

Alimony/Modification
Nicholes v. Nicholes [43,817] 785

Alimony/Nonpayment/Contempt
Knowles v. Knowles 297

Alimony/Retirement Benefits
Bujarski v. Bujarski 1190
Winslow v. Winslow 1325

Appeals
Clarke v. Clarke 1325
Milwee v. Milwee 1192
Pruett v. Pruett 833

Child Support
Donohue v. Getman [44,100] 1137
Euston v. Euston 1447
Morris v. Morris 1192
Child Support/Age of Minority
Nicholes v. Nicholes [43,817] 785
Child Support/Attorney Fees
Patch v. Patch 1190
Child Support/Criminal Non-Support Statute
Endress v. Jones 1445
Child Support/Deceased Father's Estate
Ierulli, Estate of v. Rosier 1325
Child Support/Enforcement
Bennett v. White [27,044] 505, 1132, 1313
C., C.L., *In re* 1447
Esquivel v. McMahon [44,171] 1316
Illinois *ex rel.* Sheppard v. Money 1324
Mariche v. Mariche 832
Ortega, *Ex parte* 1192
Ruffin v. Ruffin 843
Starks v. Utah Dep't of Social Servs. [43,289] 58
Child Support/Execution of Real Property
Phillips v. Morrow 1190
Child Support/Inability to Pay
Leasure v. Leasure 1447
Mead, Marriage of, *In re* 1446
Child Support/Liens
Phillips v. Morrow 1190
Child Support/Modification
Barnett v. Klein 1445
Bruner v. Bruner 1446
Endress v. Jones 1445
Haley v. Haley 1326
Harper, Marriage of, *In re* 1445
Kneece v. Kneece [43,774] 783
Leasure v. Leasure 1447
Miskimon v. Miskimon 1446
Morris v. Morris 1325
Nicholes v. Nicholes [43,817] 785
Child Support/Modification/Custody Changes
Crow v. Crow 1445
Child Support/Nonpayment
C., C.L., *In re* 1447
Child Support/Nonpayment/Contempt
Ganzel v. Ganzel 86
Endress v. Jones 1445
Fields v. Fields 297
Hicks v. Feiock 190
Ortega, *Ex parte* 1192
Pruett v. Pruett 833
Sevier v. Turner [43,333] 57
Throneberry, *In re* 833
Child Support/Nonpayment/Imprisonment
Ganzel v. Ganzel 86
Child Support/Nonpayment/Right to Counsel
Fields v. Fields 297
Child Support/Reduction
Best v. Florida Dep't of Health & Rehabilitative Servs. 693
Crow v. Crow 1445
Haley v. Haley 1326
Reese v. Reese 833
Child Support/Reduction/Welfare Recipients
Tomas v. Tomas 1445
Child Support/Reimbursement to Welfare Agency
Iowa v. Fink 1446
Monmouth County Bd. of Social Serv. v. Lohman 1454
Tomas v. Tomas 1445
Child Support/Retirement Benefits
Patch v. Patch 1190
Child Support/Standing to Sue
C., C.L., *In re* 1447
Child Support/Uniform Reciprocal Enforcement of Support Act
Miskimon v. Miskimon 1446
Pieper v. Pieper 538
Community Property
Johnson v. Johnson 1446
Kneece v. Kneece [43,774] 783
Morris v. Morris 1192
Custody
Rogero v. Pitt 1190
Custody/Change of Custody
Andre, Custody of, *In re* 1190
Caldwell v. Caldwell 1445
Gentry v. Simmons 833
Johnson v. Johnson 1191
Kean v. Kean 1191
Custody/Child Snatching
Smith v. Eley 86
Custody/Determination of Custody
Andre, Custody of, *In re* 1190
Dizayee v. Dizayee [43,355] 165
Gentry v. Simmons 833
Ingram, Marriage of, *In re* 1325
Rollins v. Rollins 1191
Schwarcz v. Schwarcz 1447
Shepherd v. Shepherd 1445
Stewart v. Stewart 414
Truitt v. Truitt 1446
Custody/Hearings
W., M., *In re* 1450
Custody/Interstate Conflicts
Hanson v. Leckey 1191
Custody/Modification of Child Support
Crow v. Crow 1445
Morris v. Morris 1325
Custody/Uniform Child Custody Jurisdiction Act
Harper, Marriage of, *In re* 1445
Lawrence v. Limoge 833
Nasica, *In re* 833

Custody/Uniform Child Custody Jurisdiction Act/Jurisdiction
Barnett v. Klein 1445
Farrell v. Farrell 86
Hanson v. Leckey 1191
Rawlings v. Weiner 415
Wallace v. Welch [43,994] 1136
Hearings
Barron v. Florida Freedom Newspapers, Inc. 1324
Strube v. Strube 1331
Jurisdiction
Lewis v. Lewis 1189
Paternity
Adams, Marriage of, *In re* 1325
Ingram, Marriage of, *In re* 1325
Simcox v. Simcox 1325
Property Division
Bujarski v. Bujarski 1190
Grubb, Marriage of, *In re* [43,335] 57
Johnson v. Johnson 1446
Kneece v. Kneece [43,774] 783
Lewis v. Lewis 1189
Schmit v. United States 692
Steele v. Steele 1191
Walker v. Walker 693
Separation Agreements
Winslow v. Winslow 1325
Settlements
Milwee v. Milwee 1192
Smith v. Jones 1192
Smith v. Smith 1324
Spousal Abuse
Pratt v. Pratt [43,396] 271
Spousal Abuse/Custody
Dizayee v. Dizayee [43,355] 165
Stay of Proceedings
Pratt v. Pratt [43,396] 271
Visitation Rights
Gleiss v. Newman 86
Schwarcz v. Schwarcz 1447
Visitation Rights/Contempt
Clarke v. Clarke 1325
Pruett v. Pruett 833
Visitation Rights/Denial
Harper, Marriage of, *In re* 1445
Visitation Rights/Modification
Barnett v. Klein 1445
Orzechowski v. Applegate 693
Rawlings v. Weiner 415
Stewart v. Stewart 414
Visitation Rights/Termination of Parental Rights
W., M., *In re* 1450
Wage Assignment
Illinois *ex rel.* Sheppard v. Money 1324
Ruffin v. Ruffin 843

DOMESTIC RELATIONS

See also ADOPTION, DEPENDENT AND NEGLECTED CHILDREN, DIVORCE, ILLEGITIMATE CHILDREN

Child Support
Collet v. Collet 1446
Crow v. Crow 1445
Harper, Marriage of, *In re* 1445
Hollis v. United States Dep't of Army 1200
Landoll v. Dovell 692
Morris v. Morris 1325
Rawles v. Hartman 1190
Sampson County *ex rel.* McPherson v. Stevens 1191
Stringer, *In re* 536
Tindell v. Rogosheske 415
Child Support/Collection
Bennett v. White [27,044] 505, 1132, 1313
Endress v. Jones 1445
Esquivel v. McMahon [44,171] 1316
Florida Dep't of Health & Rehabilitative Servs. v. Dubay 296
Haley v. Haley 1326
Law Office of Tony Center v. Baker 296
Mariche v. Mariche 832
Mead, Marriage of, *In re* 1446
Overbey v. McBride [43,483] 394
Ruffin v. Ruffin 843
Starks v. Utah Dep't of Social Servs. [43,289] 58
Truax, Marriage of, *In re* 414
Wigginton v. Kentucky *ex rel.* Caldwell 1446
Child Support/Nonpayment
Bruner v. Bruner 1446
C., C.L., *In re* 1447
K., G.J., *In re* 833
Overbey v. McBride [43,483] 394
Child Support/Nonpayment/Contempt
Fain, *Ex parte* [43,394] 165
Gunther, *Ex parte* 1445
Mead v. Batchlor [44,214] 1291
Pruett v. Pruett 833
Sevier v. Turner [43,333] 57
Throneberry, *In re* 833
Child Support/Nonpayment/Imprisonment
Chapman v. Department of Health & Rehabilitative Servs. 86
Gunther, *Ex parte* 1445
Child Support/Nonpayment/Right to Counsel
Fain, *Ex parte* [43,394] 165
Gunther, *Ex parte* 1445
Mead v. Batchlor [44,214] 1291

Child Support/Nonpayment/ Tax Refund Intercept
Guthmiller v. North Dakota Dep't of Human Servs. 414
Wagner v. Duffy 1444
Child Support/Parents' Responsibility
Adams, Marriage of, *In re* 1325
Best v. Florida Dep't of Health & Rehabilitative Servs. 693
Clark v. Render 833
Donohue v. Getman [44,100] 1137
Euston v. Euston 1447
Iowa v. Fink 1446
Leasure v. Leasure 1447
Tomas v. Tomas 1445
Child Support/Retirement Benefits
Patch v. Patch 1190
Child Support/Uniform Reciprocal Enforcement of Support Act
Lara v. County of Yolo 1445
Miskimon v. Miskimon 1446
Monmouth County Bd. of Social Serv. v. Lohman 1454
Truax, Marriage of, *In re* 414
Community Property
Johnson v. Johnson 1446
Custody
Bhama v. Bhama 832
Horbatenko v. Lepkyj [44,095] 1291
Ingram, Marriage of, *In re* 1325
Knipper, *In re* 1326
Rollins v. Rollins 1191
Schwarcz v. Schwarcz 1447
Shepherd v. Shepherd 1445
W., M., *In re* 1450
Custody/Change
Andre, Custody of, *In re* 1190
Collet v. Collet 1446
I. v. M. [43,621] 506
Johnson v. Johnson 1191
Kean v. Kean 1191
Lutgen, *In re* [43,553] 394, 661
McCuan, *In re* 1325
Plunkett v. Plunkett 1191
Schnicke v. Schnicke 1445
Truitt v. Truitt 1446
Custody/Child Snatching
Sanders v. Shephard [43,579] 506
Smith v. Eley 86
Custody/Jurisdiction
Byzewski v. Byzewski [44,119] 1164
Caldwell v. Caldwell 1445
DeFender v. Zephier [44,120] 1165
Lawrence v. Limoge 833
Long v. Branch 1446
Mayes, Guardianship of, *In re* [43,537] 395
Rawlings v. Weiner 415
Wallace v. Welch [43,994] 1136
Custody/Sexual Abuse
Doe v. Bobbitt 1329
Williams v. Williams 1191
Custody/Uniform Child Custody Jurisdiction Act
Hanson v. Leckey 1191
Harper, Marriage of, *In re* 1445
Mayes, Guardianship of, *In re* [43,537] 395
Rawlings v. Weiner 415
Domestic Violence/Battered Women
Lutgen, *In re* [43,553] 394, 661
Vir v. Weaver [43,957] 1138
Domestic Violence/Battered Women/ Abuse Statutes
Blazel v. Bradley 1324
Czachorowski v. Degenhart [44,099] 1138
Lenhardt, Marriage of, *In re* 1325
Domestic Violence/Battered Women/ Access to Courts
Mengel v. Collins [43,768] 662
Domestic Violence/Battered Women/ Access to Courts/Protection Orders
Blazel v. Bradley 1324
Carney v. Pankey [43,439] 270
Petitioner & Respondent, Marriage of, *In re* [42,136] 785
Sanders v. Shephard [43,579] 506
Domestic Violence/Battered Women/ Counseling
Lenhardt, Marriage of, *In re* 1325
Domestic Violence/Battered Women/ Interspousal Tort Immunity
Burns v. Burns 86
Domestic Violence/Battered Women/ Legal Options
Powell v. Powell 1190
Domestic Violence/Battered Women/ Legal Options/Personal Injury Action
Smith v. Smith 1324
Domestic Violence/Battered Women/ Police/Duty to Advise of Rights
Czachorowski v. Degenhart [44,099] 1138
Domestic Violence/Battered Women/ Self-Defense
Kansas v. Stewart 1190
Domestic Violence/Child Abuse/ Sexual Abuse
Pratt v. Pratt [43,396] 271
T., Rachel, *In re* [44,207] 1305
Domestic Violence/Child Abuse/Tort Action
DeShaney v. Winnebago County Dep't of Social Servs. 1450
Visitation Rights
Clarke v. Clarke 1325
Gleiss v. Newman 86
Ramquist, *In re* 1451
Rawlings v. Weiner 415

Schnicke v. Schnicke 1445
Schwarcz v. Schwarcz 1447
W., M., *In re* 1450
Visitation Rights/Non-Parents
Aragon, Marriage of, *In re* 1445
Snipes v. Carr 538
Worley v. Worley 1445

DRIVER'S LICENSE

See also AUTOMOBILES

Driving Tests
Vandever v. Kansas Dep't of Revenue 1188
Expiration
Vandever v. Kansas Dep't of Revenue 1188
Handicapped Persons
Gross v. Quinn [44,178] 1288

DRUG TESTING

See PRIVACY

DUE PROCESS

Administrative Actions
Jabbari v. Illinois Human Rights Comm'n 1193
Jones v. Bowen 841
Aliens
Rafeedie v. INS 696
Assistance of Counsel
Fain, *Ex parte* [43,394] 165
Contempt Proceedings
Hicks v. Feiock 190
United States v. City of Yonkers 835
Courts
Roumel v. Diaz [43,619] 504
Cruel and Unusual Punishment
Cale v. Johnson 1330
Mendez-Suarez v. Veles 1331
Deprivation of Liberty
Committee of Cent. Am. Refugees v. INS 301
DeShaney v. Winnebago County Dep't of Social Servs. 1450
Moss v. Clark 1331
Deprivation of Liberty/ Employment/Unemployment Compensation
Beers v. Pennsylvania Unemployment Compensation Bd. of Review [43,981] 1173
Deprivation of Property
Jabbari v. Illinois Human Rights Comm'n 1193
Maine Dep't of Human Servs. v. Merrill Trust Co. [43,963] 1183
Vanscoter v. Bowen [41,726] 529, 1179, 1441
Ysasi v. Rivkind [39,827] 804
Deprivation of Property/ Social Security Laws
Isaacs v. Bowen [43,930] 416, 1297
Jails
Hodges v. Scully 832
Melvin v. Nickolopoulos 1452
Jails/Conditions
Gallagher v. Wigginton [44,172] 1307
Notice and Opportunity to Be Heard
City of Kansas City, Mo. v. HUD 1329
Luna v. City of Georgetown [42,528] 406
Paredes v. Curtis [43,215] 1293
Parker v. Baltimore County Dep't of Social Servs. [43,991] 1155
Waddell, *In re* [44,228] 1435
Notice and Opportunity to Be Heard/ Action Before Hearing
Kendall v. Brock [44,126] 1142
Notice and Opportunity to Be Heard/ Administrative Proceedings
Jabbari v. Illinois Human Rights Comm'n 1193
Jones v. Bowen 841
Miller v. Lipscomb [44,184] 1315
Parker v. Pennsylvania Dep't of Labor & Indus. [42,419] 184
Notice and Opportunity to Be Heard/ Before Final Judgment
Collet v. Collet 1446
Notice and Opportunity to Be Heard/ Default Judgment
McKenney v. Commissioner, Me. Dep't of Human Servs. [43,954] 1184
Notice and Opportunity to Be Heard/ Ex Parte Proceedings
Blazel v. Bradley 1324
Brown v. South Carolina Employment Sec. Comm'n [43,304] 76
Notice and Opportunity to Be Heard/ Fairness and Reasonableness
Kelly v. Lopeman [41,535] 197
McIntosh v. Commissioner, Me. Dep't of Human Servs. [43,953] 1184
Notice and Opportunity to Be Heard/ Hearing on Merits
Orozco v. Sobol [43,336] 395, 1425
Notice and Opportunity to Be Heard/ Judicial Proceedings
Strube v. Strube 1331
Notice and Opportunity to Be Heard/ New Trial or Rehearing
Spratt v. Department of Social Servs. 844
Notice and Opportunity to Be Heard/ Nonresidents
Orozco v. Sobol [43,336] 395, 1425
Notice and Opportunity to Be Heard/ Opportunity to Rebut Evidence
Malik v. Tanner 1331
Notice and Opportunity to Be Heard/ Presentation of Claim or Defense
Vir v. Weaver [43,957] 1138
Notice and Opportunity to Be Heard/ Property Rights
Horn v. City of Chicago 1188

Representation by Counsel
B., *In re* [43,666] 522
Plunkett v. Plunkett 1191
Sevier v. Turner [43,333] 57
Sturm v. Clark 91
Representation by Counsel/Appellate Proceedings
Clark v. Wingard [41,241] 1162
Representation by Counsel/ Appointment By Court
Fain, *Ex parte* [43,394] 165
Fernandez v. Bowen 93
Maine *ex rel.* Bean v. Tarvers [43,952] 1138
Stewart v. McMickens 91
Vines v. Howard 91
Representation by Counsel/Prejudice Caused by Nonrepresentation
Mead v. Batchlor [44,214] 1291

ECONOMIC DEVELOPMENT

See also HOUSING
Pleune v. Pierce [42,180] 798
Community Service Organizations
Dallas County Community Action Comm., *Ex parte* [44,203] 1292
Rural Alaska Community Action Program v. Smith 538

EDUCATION

Admission
Doe v. Dolton Elementary School Dist. No. 148 834
Admission/Residency Requirements
Orozco v. Sobol [43,336] 395, 1425
Stansbury v. Harford County Bd. of Educ. [44,130] 1139
Athletic Activities/Discrimination
Hollenbeck v. Board of Educ. 1328
Bilingual-Bicultural Education/Vocational Education
Molina v. Crown Business Inst. N.Y.C., Inc. [44,118] 1135
Rodriguez v. Wilfred Academy of Hair & Beauty Culture [44,176] 1290
Corporal Punishment
Wise v. Pea Ridge School Dist. No. 109 86
Desegregation Requirements/Busing
Flax v. Potts [16,760] 190
Desegregation Requirements/Comprehensive Community Plan
Liddell v. Board of Educ. of St. Louis, Mo. [32,696] 693, 1192
Youngblood v. Board of Pub. Instruction of Bay County [43,782] 786
Desegregation Requirements/ Construction Sites
Monteilh v. St. Landry Parish School Bd. 539
Desegregation Requirements/Cost of
Liddell v. Board of Educ. of St. Louis, Mo. [32,696] 693, 1192
San Francisco NAACP v. San Francisco Unified School Dist. 1192
Desegregation Requirements/Enforcement
Lee v. Macon County Board of Educ. 297
Youngblood v. Board of Pub. Instruction of Bay County [43,782] 786
Desegregation Requirements/Magnet Schools
Liddell v. Board of Educ. of St. Louis, Mo. [32,696] 693, 1192
Desegregation Requirements/Student Assignment
Stout v. Jefferson County Bd. of Educ. 415
Desegregation Requirements/Transfers
Liddell v. Board of Educ. of St. Louis, Mo. [32,696] 693, 1192
Discipline/Due Process
Wise v. Pea Ridge School Dist. No. 109 86
Discipline/Due Process/Hearings
Paredes v. Curtis [43,215] 1293
Stratton, *In re* 834
Discipline/Expulsion/Due Process
Newsome v. Batavia Local School Dist. [42,512] 165
Stratton, *In re* 834
Discipline/Expulsion/Hearings
Newsome v. Batavia Local School Dist. [42,512] 165
Discipline/Hearings
Stratton, *In re* 834
Discipline/Suspension
Wise v. Pea Ridge School Dist. No. 109 86
Discipline/Suspension/Due Process
Cole v. Newton Special Mun. Separate School Dist. 87
Paredes v. Curtis [43,215] 1293
Discipline/Suspension/ Racially Motivated
Albert v. Carovano 693
Discrimination
Robertson v. Granite City Community Unit School Dist. No. 9 539
Discrimination/ Handicapped Persons
Hollenbeck v. Board of Educ. 1328
Martinez v. School Bd. of Hillsborough County 88, 835, 1326
Discrimination/Integration
Stout v. Jefferson County Bd. of Educ. 415
Discrimination/Race
Stout v. Jefferson County Bd. of Educ. 415
Discrimination/Race/School Board Members
Irby v. Fitz-Hugh 834
Discrimination/ Spanish-Speaking
Garza v. Mabton School Dist. [43,433] 286

Drugs
Newsome v. Batavia Local School Dist. [42,512] 165
Educational Rights
Burr v. Ambach 412, 1448
Natrona County School Dist. 1 v. Ryan 1449
Emotionally Disturbed Children/ Program Requirements
Hall v. Freeman 1449
Fees
Salazar v. Honig [43,559] 396
Financing/Student Loans
Acosta v. North Jersey Secretarial School [43,437] 272
Graham v. Security Sav. & Loan [43,466] 271
Molina v. Crown Business Inst. N.Y.C., Inc. [44,118] 1135
Veal v. First Am. Sav. Bank [43,467] 271
Financing/Student Loans/Recovery/ Statute of Limitations
Thomas v. Bennett [42,340] 779
Guardianship/Residency
Stansbury v. Harford County Bd. of Educ. [44,130] 1139
Head Start Programs
Minnich v. Bowen [43,543] 396, 662
Indigent Students
Orozco v. Sobol [43,336] 395, 1425
Private Schools/Reimbursement
Hall v. Freeman 1449
Quality
Rosario v. Livaditis [44,042] 1134
Residency Requirements
Hall v. Freeman 1449
Orozco v. Sobol [43,336] 395, 1425
Sleeseman v. State Bd. of Educ. [43,470] 271
Stansbury v. Harford County Bd. of Educ. [44,130] 1139
Tynan v. Woolley [42,820] 507
School Board Elections
Dillard v. Baldwin County Bd. of Educ. 693
Irby v. Fitz-Hugh 834
School Closures/Community Control
Youngblood v. Board of Pub. Instruction of Bay County [43,782] 786
Special Education
Holmes v. Sobol [43,645] 510
P. v. Sobol [25,954] 790
Title VI/Linguistically Different Children
Garza v. Mabton School Dist. [43,433] 286
Transportation
Kadrmas v. Dickinson Pub. Schools [42,679] 506
Salazar v. Honig [43,559] 396
Tuition/Handicapped Persons
Burr v. Ambach 412, 1448
Hiller v. Board of Educ. of Brunswick Cent. School Dist. 695
Tuition/Residency Requirements
Sleeseman v. State Bd. of Educ. [43,470] 271
Stansbury v. Harford County Bd. of Educ. [44,130] 1139
Vocational Education
Acosta v. North Jersey Secretarial School [43,437] 272
Rodriguez v. Wilfred Academy of Hair & Beauty Culture [44,176] 1290
Rosario v. Livaditis [44,042] 1134
Vocational Education/Financing
Graham v. Security Sav. & Loan [43,466] 271
Molina v. Crown Business Inst. N.Y.C., Inc. [44,118] 1135
Veal v. First Am. Sav. Bank [43,467] 271

ELECTIONS

Aldermanic Elections
Monroe v. City of Woodville, Miss. [41,631] 694
Apportionment
Dillard v. Baldwin County Comm'n 834
League of United Latin Am. Citizens v. Clements [43,595] 507, 1424
At-Large Elections
Collins v. City of Norfolk 190
McNeil v. Springfield Park Dist. 693
At-Large Elections/Discrimination
Apodaca v. County of Quay [43,448] 272
Buchanan v. Jackson, Tenn. 415
Campos v. City of Baytown 1326
Chisom v. Edwards 190
Chisom v. Edwards 834
Cruz Gomez v. City of Watsonville 693
Dillard v. Baldwin County Comm'n 834
Gomez v. City of Watsonville 1447
Hodge v. New Mexico Community Junior College Dist. [43,449] 272
League of United Latin Am. Citizens v. Clements [43,595] 507, 1424
Monroe v. City of Woodville, Miss. [41,631] 694
Pittsburgh Crusade for Voters v. Pittsburgh 539
Smith v. Clinton 693
Candidates
Ruiz v. Wheeler [43,871] 786, 1424
Community Action Programs
Harris v. Siegelman 1192, 1447
Discrimination
Alcaraz v. Eu 1326
Apodaca v. County of Quay [43,448] 272
Campos v. City of Baytown 1326
Harris v. Siegelman 1192, 1447
Hodge v. New Mexico Community Junior College Dist. [43,449] 272
Irby v. Fitz-Hugh 834
League of United Latin Am. Citizens v. Clements [43,595] 507, 1424

Neal v. Coleburn 834
Pittsburgh Crusade for Voters v. Pittsburgh 539
Roberts v. Wamser 190
Ruiz v. Wheeler [43,871] 786, 1424
Whitfield v. Democratic Party of Ark. 693

Municipal Elections

East Jefferson Coalition for Leadership & Dev. v. Jefferson Parish 834
Gresham v. Harris 1192
Pittsburgh Crusade for Voters v. Pittsburgh 539
Woodard v. Mayor & City Council of Lumber City 87

Reapportionment

East Jefferson Coalition for Leadership & Dev. v. Jefferson Parish 834
Smith v. Clinton 693

Referendum

Davis v. City of Berkeley 1449
Delgado v. Smith 1326
District of Columbia Common Cause v. District of Columbia [41,767] 1140
Harper v. Greely [43,746] 662, 1140
Lucas v. Townsend 694

Registration

Haas v. Smith [44,158] 1293
Moulds v. Fairey [44,159] 1293
Rainbow Coalition of Okla. v. Oklahoma State Election Bd. 539

Residency Requirements

Donahue v. Secretary of Massachusetts 1326

Right to Vote

Alcaraz v. Eu 1326
Haas v. Smith [44,158] 1293
Moulds v. Fairey [44,159] 1293

Right to Vote/Prisoners

Martin v. Haggerty 1452

Right to Vote/Residency Requirements

Donahue v. Secretary of Massachusetts 1326

Voting Rights Act

Delgado v. Smith 1326
Dillard v. Baldwin County Bd. of Educ. 693
East Jefferson Coalition for Leadership & Dev. v. Jefferson Parish 834
Gresham v. Harris 1192
Harris v. Siegelman 1192, 1447
Irby v. Fitz-Hugh 834
Lucas v. Townsend 694
McNeil v. Springfield Park Dist. 693
Montero v. Meyer 1326
Neal v. Coleburn 834
Pittsburgh Crusade for Voters v. Pittsburgh 539
Roberts v. Wamser 190
Ruiz v. Wheeler [43,871] 786, 1424
Whitfield v. Democratic Party of Ark. 693
Woodard v. Mayor & City Council of Lumber City 87

Voting Rights Act/Section 2 on At-Large Elections

Apodaca v. County of Quay [43,448] 272
Buchanan v. Jackson, Tenn. 415
Campos v. City of Baytown 1326
Chisom v. Edwards 190
Chisom v. Edwards 834
Collins v. City of Norfolk 190
Cruz Gomez v. City of Watsonville 693
Dillard v. Baldwin County Comm'n 834
Dillard v. Chilton County Bd. of Educ. 1326
Gomez v. City of Watsonville 1447
Hodge v. New Mexico Community Junior College Dist. [43,449] 272
Monroe v. City of Woodville, Miss. [41,631] 694
Ruiz v. Wheeler [43,871] 786, 1424
Smith v. Clinton 693
Williams v. Illinois State Bd. of Elections 1188, 1189, 1192

EMPLOYMENT

See also EMPLOYMENT DISCRIMINATION
AFL-CIO v. McLaughlin [44,217] 1305
Civil Service/Dismissal/Due Process
Ingram v. Dallas County, Tex. 694
Knoxville Util. Bd. v. Butts [43,342] 166
Comprehensive Employment and Training Act
Davis v. Mobile Consortium of CETA 1193
Fair Labor Standards Act
Dayton v. Coral Oldsmobile, Inc. 415
Patel v. Quality Inn S. 417
Fair Labor Standards Act/Minimum Wages
Calderon v. Witvoet [44,169] 1306
Smith v. Housing Auth. of Louisville [44,053] 1141
Young v. Cutter Biological 839
Fair Labor Standards Act/Minimum Wages/Migrants
Mackey v. Bland [43,702] 676
Osias v. Marc [43,818] 808
Fair Labor Standards Act/Minimum Wages/Overtime
McLaughlin v. Seafood, Inc. 1326
Ochoa v. Weisensee Ranch [44,055] 1164
Government Employees
Kendall v. Brock [44,126] 1142
Government Employees/Termination
Fewquay v. Page 298
Lemere v. Burnley 416
Plowman v. United States Dep't of Army 1328
Hiring Practices
Olson v. Montana Dept. of Revenue 1448
Job Training Partnership Act
Davis v. Spanish Coalition for Jobs, Inc. 87
Tommy Nobis Center v. Barfield 835
Labor Disputes
Iturriaga v. Oregon Garden Products, Inc. [44,059] 1143
Labor Management Relations Act/Employer Violations
Lee v. General Motors Corp. 413
Psychological Examinations
Heins v. Pennsylvania Unemployment Compensation Bd. of Review 94
Records
McLaughlin v. Seafood, Inc. 1326
Records/Disclosure
Brandt v. Board of Coop. Educ. Servs. 415
Termination
Mullenberg v. HHS 1197
Pet Haven Grooming Salon v. Nunn [43,819] 787
Salazar v. Ohio Civil Rights Comm'n 1328
Termination/At-Will Terminations
Davis v. Mobile Consortium of CETA 1193
Casse v. Louisiana Gen. Servs., Inc. 1448
Mallon v. Prudential Property & Casualty Ins. Co. 694
Termination/At-Will Terminations/Limitations
Evans v. City of Dallas 1327
Helmick v. Cincinnati Word Processing [44,226] 1425
Hood v. Alabama State Personnel Bd. 87
Lee v. County of Cook 1327
Termination/Discharge Without Cause
Knoxville Util. Bd. v. Butts [43,342] 166
Termination/Due Process
Davis v. Mobile Consortium of CETA 1193
Evans v. City of Dallas 1327
Fewquay v. Page 298
Queen v. West Virginia Univ. Hosp. 299
Termination/Retaliatory Discharge
Anderson v. Phillips Petroleum Co. 1327
Evans v. City of Dallas 1327
Favors v. ALCO Mfg. Co. 298
Goluszek v. Smith 1327
Iturriaga v. Oregon Garden Products, Inc. [44,059] 1143
Mendoza-Serrano v. Boardman Farms [43,706] 677
Mendoza-Serrano v. Boardman Farms [43,707] 677
Reed v. City of Springfield 1448
Tunis v. Corning Glass Works 1327
Termination/Wage Claims
Jordan v. Central La. Tel. Co. 539
Termination/Wage Garnishment
Dawson v. City of Kent 300
Termination/Wrongful Discharge
Helmick v. Cincinnati Word Processing [44,226] 1425
Iturriaga v. Oregon Garden Products, Inc. [44,059] 1143
Patterson v. I.H. Servs., Inc. 540
Sadler v. Basin Elec. Power Coop. 1193
Storey v. Meijer, Inc. [42,660] 787
Woodson v. AMF Leisureland Centers, Inc. 298

EMPLOYMENT DISCRIMINATION

Adverse Impact/Health
Plowman v. United States Dep't of Army 1328
Affirmative Action Programs/Federal Contractors
Chicago Women in Trades v. Walsh Constr. [43,795] 787
Affirmative Action Programs/Minority Businesses
Chicago Women in Trades v. Walsh Constr. [43,795] 787
Age Discrimination
Action Alliance of Senior Citizens of Greater Philadelphia v. Bowen [34,403] 266
American Ass'n of Retired Persons v. Farmers Group 1448
Buffington v. General Time Corp. 87

Coventry v. United States Steel Corp. 834
Curtis v. Belden Elec. Wire & Cable 1448
Dillion v. City of Chicago 413
EEOC v. Cargill, Inc. 834
Healy v. New York Life Ins. Co. 1193
Helman v. AMF, Inc. 87
Mallon v. Prudential Property & Casualty Ins. Co. 694
Nellis v. Service Web Offset Corp. 1193
Pudge v. Fruehauf Corp. 834
Trent v. AT&T Technologies, Inc. 1193

Age Discrimination in Employment Act/ Attorney Fees
Herold v. Hajoca Corp. 296
Pudge v. Fruehauf Corp. 834
Ramsey v. Chrysler First, Inc. 1327

Age Discrimination in Employment Act/ Damages
Herold v. Hajoca Corp. 296
Ramsey v. Chrysler First, Inc. 1327
Spivak v. Coulter Elec., Inc. 694

Age Discrimination in Employment Act/ Damages/Punitive
Anderson v. Phillips Petroleum Co. 1327

Age Discrimination in Employment Act/ Damages/Reinstatement
Anderson v. Phillips Petroleum Co. 1327

Age Discrimination in Employment Act/ Dismissal of Employees/ Replacement by Younger Employees
Healy v. New York Life Ins. Co. 1193

Age Discrimination in Employment Act/Enforcement
Soriano v. Xavier Univ. Corp. 694

Age Discrimination in Employment Act/Enforcement/Conciliation
Olitsky v. Spencer Gifts, Inc. 191

Age Discrimination in Employment Act/Enforcement/Elements of Prima Facie Case
Botma v. Lenon Bus Serv., Inc. 1328
Nellis v. Service Web Offset Corp. 1193

Age Discrimination in Employment Act/Enforcement/Requirements to Post Notices
Kale v. Combined Ins. Co. of Am. 1326

Age Discrimination in Employment Act/Lawful Practices or Exemptions/Bona Fide Occupational Qualifications
EEOC v. Mississippi 191

Age Discrimination in Employment Act/Lawful Practices or Exemptions/Reasonable Factors Other Than Age
Arnold v. United States Postal Serv. 1447
Botma v. Lenon Bus Serv., Inc. 1328
Healy v. New York Life Ins. Co. 1193
Nellis v. Service Web Offset Corp. 1193

Age Discrimination in Employment Act/ Lawful Practices or Exemptions/Seniority Systems and Benefit Plans
EEOC v. Cargill, Inc. 834

Age Discrimination in Employment Act/ Layoffs
Nellis v. Service Web Offset Corp. 1193

Age Discrimination in Employment Act/Mandatory Retirement
EEOC v. Mississippi 191

Age Discrimination in Employment Act/ Persons Covered
American Ass'n of Retired Persons v. Farmers Group 1448

Age Discrimination in Employment Act/ Persons Covered/State Employees
EEOC v. Mississippi 191

Age Discrimination in Employment Act/Prohibitions/Employer Practices
American Ass'n of Retired Persons v. Farmers Group 1448
Arnold v. United States Postal Serv. 1447
Coventry v. United States Steel Corp. 834
Ingram v. Dallas County, Tex. 694
Trent v. AT&T Technologies, Inc. 1193

Age Discrimination in Employment Act/Prohibitions/Protection Against Retaliatory Action
Anderson v. Phillips Petroleum Co. 1327

Age Discrimination in Employment Act/ Timely Filing/Equitable Tolling
Kale v. Combined Ins. Co. of Am. 1326

Age Discrimination in Employment Act/ Willful Discrimination
American Ass'n of Retired Persons v. Farmers Group 1448
Ramsey v. Chrysler First, Inc. 1327

Back Pay Awards
East St. Louis Hous. Auth. v. Evans [44,034] 1142
Pegues v. Mississippi State Employment Serv. 1327
Ross v. Twenty-Four Collection, Inc. 298

Bona Fide Occupational Qualifications/ Sex Discrimination
International Union, UAW v. Johnson Controls, Inc. 191

Disabled Persons
Chapoton v. Majestic Caterers [44,286] 1428
Jabbari v. Illinois Human Rights Comm'n 1193
Mallon v. Prudential Property & Casualty Ins. Co. 694
Minnesota v. Hennepin County 540

Discharge
Jackson v. Birmingham Bd. of Educ. 1193

Discharge/Retaliation for Filing Charge with EEOC
Anderson v. Phillips Petroleum Co. 1327
Perkins v. Walters [43,840] 1141

Disparate Treatment
Arnold v. United States Postal Serv. 1447
Disparate Treatment/Discharge
Lunsford v. Leis 539
Disparate Treatment/Promotions
Bernard v. Gulf Oil Corp. 191
Disparate Treatment/Wages
California State Employees' Ass'n v. California 298
EEOC
EEOC v. Carolina Freight Carriers Corp. 539
EEOC/Conciliation
Olitsky v. Spencer Gifts, Inc. 191
EEOC/Exhaustion of Administrative Remedies
Ingram v. Dallas County, Tex. 693
EEOC/Notice of Right to Sue
Green v. Aluminum Co. of Am. 1448
EEOC/Timely Filing/Continuing Violations
Buffington v. General Time Corp. 87
Employment Agencies
Pegues v. Mississippi State Employment Serv. 1327
Failure to Promote
Buffington v. General Time Corp. 87
Trent v. AT&T Technologies, Inc. 1193
Handicapped Persons
Ackerman v. Western Elec. Co., Inc. 1193
Bowerman v. Malloy Lithographing, Inc. 1449
Casse v. Louisiana Gen. Servs., Inc. 1448
Chalk v. United States Dist. Court Cent. Dist. of Cal. [43,121] 191
Chapoton v. Majestic Caterers [44,286] 1428
Coley v. Secretary of Army 695
Fynes v. Weinberger 87
Gee v. Mass Transit Admin. 413
Hall v. United States Postal Serv. 1194
Harrison v. Marsh 835
Jackson v. Maine 695
Recanzone v. Washoe County School Dist. 1328
Salazar v. Ohio Civil Rights Comm'n 1328
Hiring and Promotion
Olson v. Montana Dept. of Revenue 1448
Hiring and Promotion/County Programs
East St. Louis Hous. Auth. v. Evans [44,034] 1142
Hiring and Promotion/Law Enforcement Agencies
Minnesota v. Hennepin County 540
Hiring and Promotion/Racial Discrimination
Jackson v. Birmingham Bd. of Educ. 1193
Hiring and Promotion/Sex Discrimination
East St. Louis Hous. Auth. v. Evans [44,034] 1142
Military
Harrison v. Marsh 835
National Origin
EEOC v. Carolina Freight Carriers Corp. 539
Goluszek v. Smith 1327
Ipina v. Michigan Dept. of Management & Budget 1327
Racial
Bernard v. Gulf Oil Corp. 191
Conklin Center v. Williams 87
Frazier v. Southeastern Pa. Transp. Auth. [44,187] 1294
Hunter v. Intermodal, Inc. [44,123] 1140
Jackson v. Birmingham Bd. of Educ. 1193
Lee v. County of Cook 1327
Nearing v. Golden State Foods Corp. 1448
Perkins v. Walters [43,840] 1141
Vance v. Southern Bell Tel. & Tel. Co. 1447
Religion
Reed v. City of Springfield 1448
Warner v. Graham 87
Remedies
Sellers v. Delgado Community College 191
Remedies/Attorney Fees
Johnson v. Human Rights Comm'n 1193
Marsh v. Digital Equip. Corp. 1443
Pudge v. Fruehauf Corp. 834
Ramsey v. Chrysler First, Inc. 1327
Remedies/Back Pay
Johnson v. Human Rights Comm'n 1193
Pegues v. Mississippi State Employment Serv. 1327
Rios v. Enterprise Ass'n Steamfitters Local Union 638 [4307] 1192
Remedies/Compensatory Damages
Recanzone v. Washoe County School Dist. 1328
Remedies/Costs
Pudge v. Fruehauf Corp. 834
Remedies/Front Pay
Anderson v. Phillips Petroleum Co. 1327
Pudge v. Fruehauf Corp. 834
Ramsey v. Chrysler First, Inc. 1327
Spivak v. Coulter Elec., Inc. 694
Remedies/Punitive Damages
Vance v. Southern Bell Tel. & Tel. Co. 1447
Remedies/Reinstatement
Johnson v. Human Rights Comm'n 1193
Respondeat Superior
Fuchilla v. Prockop 298
Retaliation
EEOC v. Carolina Freight Carriers Corp. 539
Goluszek v. Smith 1327
Helman v. AMF, Inc. 87
Perkins v. Walters [43,840] 1141
Tunis v. Corning Glass Works 1327
Sex Discrimination/Equal Pay Act
Barlow v. Esselte Pendaflex Corp. 1327
Burger v. Health Ins. Plan of Greater N.Y. 415
Sex Discrimination/Fringe Benefits/Insurance/Medical
EEOC v. South Dakota Wheat Growers Ass'n 415
Sex Discrimination/Harassment
Chicago Women in Trades v. Walsh Constr. [43,795] 787
Favors v. ALCO Mfg. Co. 298
Frazier v. Southeastern Pa. Transp. Auth. [44,187] 1294
Fuchilla v. Prockop 298
Goluszek v. Smith 1327

Helmick v. Cincinnati Word Processing [44,226] 1425
Jensen v. Siemsen [44,283] 1439
Ross v. Twenty-Four Collection, Inc. 298
Tunis v. Corning Glass Works 1327

Sex Discrimination/Physical Requirements
East St. Louis Hous. Auth. v. Evans [44,034] 1142

Sex Discrimination/Pregnancy
Alvarez v. Simmons Mkt. Research Bureau, Inc. 191
Lunsford v. Leis 539
Suarez v. Illinois Valley Community College 694
Whites v. Hahn 1327

Sex Discrimination/Sexual Favors
Helmick v. Cincinnati Word Processing [44,226] 1425

Sex Discrimination/Wage Rights
California State Employees' Ass'n v. California 298

Statute of Limitations
Curtis v. Belden Elec. Wire & Cable 1448
Lubniewski v. United States Dep't of the Navy 298
Nearing v. Golden State Foods Corp. 1448

Statute of Limitations/EEOC
Green v. Aluminum Co. of Am. 1448
Urrutia v. Valero Energy Corp. 191

Statute of Limitations/Section 1983
Fuchilla v. Prockop 298

Test Validation
Bernard v. Gulf Oil Corp. 191

Title VII
Davis v. Spanish Coalition for Jobs, Inc. 87
EEOC v. South Dakota Wheat Growers Ass'n 415
Hunter v. Intermodal, Inc. [44,123] 1140
International Union, UAW v. Johnson Controls, Inc. 191
Sellers v. Delgado Community College 191
Tunis v. Corning Glass Works 1327

Title VII/Jurisdictional Requirements
Mondy v. Secretary of the Army [43,476] 267
Moore v. Trump Casino-Hotel 87
Urrutia v. Valero Energy Corp. 191
Whites v. Hahn 1327

Title VII/Pendent Claims
Moore v. Trump Casino-Hotel 87

Title VII/Prima Facie Showing
Barlow v. Esselte Pendaflex Corp. 1327

Veterans
Lemmon v. Santa Cruz County 702
Olson v. Montana Dept. of Revenue 1448

ENERGY

See also PUBLIC UTILITIES

Low-Income Home Energy Assistance Act
Puget Sound Power & Light v. Washington Dep't of Community Dev. [44,193] 1309

Low-Income Home Energy Assistance Act/Administration
Winsness, *In re* [43,591] 522

ENVIRONMENTAL LAW

Impact Statements/Adequacy
Akpan v. Koch [43,283] 66
Mitchell v. Department of Land & Natural Resources [43,772] 788
Tribal Village of Akutan v. Hodel 1193

Impact Statements/Filing
Mitchell v. Department of Land & Natural Resources [43,772] 788

National Environmental Protection Act
Tribal Village of Akutan v. Hodel 1193

Water Plans
Mitchell v. Department of Land & Natural Resources [43,772] 788

EQUAL PROTECTION

See also CIVIL RIGHTS
Kadrmas v. Dickinson Pub. Schools [42,679] 506

Appellate Jurisdiction and Procedure/Appointment of Counsel/Indigents
Clark v. Wingard [41,241] 1162

Contempt Proceedings
United States v. City of Yonkers 835

Fundamental Rights
Salazar v. Honig [43,559] 396
T. v. Patterson [43,366] 176, 1158

Fundamental Rights/Vital Benefits
Gallagher v. Wigginton [44,172] 1307

Fundamental Rights/Vital Benefits/Eligibility
Jenkins v. Bowen [43,698] 681
Parker v. Pennsylvania Dep't of Labor & Indus. [42,419] 184
Police & Fire Ass'n for Handicapped Children v. City of Philadelphia 1449

EVIDENCE

See also CIVIL PROCEDURE, CRIMINAL LAW AND PROCEDURE

Administrative Adjudications
Doe, *In re* [43,688] 819

Administrative Adjudications/Burden of Proof
M., *In re* [44,291] 1435

Admissibility/Hearsay Evidence
Williams v. Williams 1191

Authentication and Identification/Ancient Documents
Napeahi v. Paty [43,775] 810

Blood Tests/Paternity
Eagan v. Ayd 1325
M., John v. Paula T. 1191

Burden of Proof/Administrative Proceedings
M., *In re* [44,291] 1435

Confessions/Admissibility
Sanborn, Allen, *In re* 837

Crime and Criminal Procedure
Endress v. Jones 1445

Hearsay/Administrative Proceedings
Northern Serv. Center, Inc. v. Illinois Dep't of Employment Sec. 424
Hearsay/Exceptions
T., Rachel, *In re* [44,207] 1305
Impeachment/Convictions
Bruner v. Bruner 1446
Judicial Notice
Utah v. Yates [43,836] 806
Privileges
North Carolina Council of Churches Hous. Dev. Corp. v. FmHA [44,041] 1132
Records and Recording
Salgado v. Jackson [44,064] 1133
Witnesses
McDaniel v. Washington State Dep't of Social & Health Servs. [43,475] 292

FOOD PROGRAMS

Food Security Act of 1985
Metzer v. Lyng [41,735] 694, 1143
Food Stamp Program
Johnston v. Ellenbecker [43,724] 664, 1143
McDowell v. South Carolina Dep't of Social Servs. [43,770] 789
Food Stamp Program/Administration
Horstead v. Lyng [43,375] 167, 663
Lynch v. Min 416
Peppers v. Barry [43,861] 777
Vermont Dep't of Social Welfare v. Lamb [43,319] 59, 273, 1132
Food Stamp Program/Assets
Horstead v. Lyng [43,375] 167, 663
Jackson v. Jackson 1193
McDowell v. South Carolina Dep't of Social Servs. [43,770] 789
Two Uniform Gift to Minor Accounts, *In re* [43,993] 1181
Food Stamp Program/Benefits/ Considered Income
Cotton v. Mansour [37,134] 1295
Foster v. Celani [37,205] 508
Massachusetts Dep't of Pub. Welfare v. Lyng [44,131] 1425
Metzer v. Lyng [41,735] 694, 1143
Orr v. Arizona Dep't of Economic Sec. 1194
Watkins v. Reagen [43,214] 664
Williams v. Patterson [42,536] 1144, 1425
Food Stamp Program/Budgeting
Murphy v. Commissioner of W. Va. Dep't of Human Servs. [44,167] 1295
Watkins v. Reagen [43,214] 664
Food Stamp Program/ Common Living Quarters
Vermont Dep't of Social Welfare v. Lamb [43,319] 59, 273, 1132
Food Stamp Program/Eligibility
Jackson v. Jackson 1193
Metzer v. Lyng [41,735] 694, 1143
Meyer v. Lyng 1194
Murphy v. Commissioner of W. Va. Dep't of Human Servs. [44,167] 1295
Food Stamp Program/Eligibility/ Review of
Horstead v. Lyng [43,375] 167, 663
McDowell v. South Carolina Dep't of Social Servs. [43,770] 789
Owens v. Sugarman [44,037] 1185
Food Stamp Program/Fair Hearing/Decisions/Implementation
Moore v. Perales [40,153] 843
Food Stamp Program/Food Stamp Reform Regulations
Lynch v. Min 416
Food Stamp Program/Foster Homes
Foster v. Celani [37,205] 508
Murray v. Lyng [38,984] 663
Rios v. South Dakota Dep't of Social Servs. [43,328] 59
Food Stamp Program/Fraud
Johnston v. Ellenbecker [43,724] 664, 1143
Food Stamp Program/Hearings
Mendez v. White [43,733] 664
Miller v. Lipscomb [44,184] 1315
Food Stamp Program/Hearings/Aid Pending Appeal
Jackson v. Jackson 1193
Food Stamp Program/Household Definition
Gagnon v. Atkins [43,814] 789
Murray v. Lyng [38,984] 663
Rios v. South Dakota Dep't of Social Servs. [43,328] 59
Vermont Dep't of Social Welfare v. Lamb [43,319] 59, 273, 1132
Food Stamp Program/HUD Subsidies
West v. Bowen [44,143] 1145
Food Stamp Program/Income Deductions/Available Income
Graham v. Cowherd [44,035] 1144
Food Stamp Program/Income Deductions/ Child Support Payments
Graham v. Cowherd [44,035] 1144
Maness v. Tennessee Dep't of Human Servs. [43,361] 168
Food Stamp Program/Income Deductions/Computation of Income
Hamilton v. Lyng [43,557] 397
Maness v. Tennessee Dep't of Human Servs. [43,361] 168
Massachusetts Dep't of Pub. Welfare v. Lyng [44,131] 1425
Metzer v. Lyng [41,735] 694, 1143
Meyer v. Lyng 1194
Murray v. Lyng [38,984] 663
Rios v. South Dakota Dep't of Social Servs. [43,328] 59

Food Stamp Program/Income Deductions/ HUD Subsidies
Baum v. Lyng [43,474] 273
Food Stamp Program/Income Deductions/Student Loans
Metzer v. Lyng [41,735] 694, 1143
Food Stamp Program/Lost or Stolen Food Stamps/Replacement/Liability of State
Skipper v. Duffy [37,338] 788, 1295
Food Stamp Program/Notices
Glendenning v. Duffy [39,785] 508
Food Stamp Program/Notices/Regulations
Aponte, *In re* [43,811] 790
Food Stamp Program/Overpayments
Glendenning v. Duffy [39,785] 508
Mendez v. White [43,733] 664
Urich v. White [43,258] 58
Food Stamp Program/Prompt Processing
Skipper v. Duffy [37,338] 788, 1295
Food Stamp Program/Recertification
Tay v. Flaherty 540
Food Stamp Program/Recoupment
Mendez v. White [43,733] 664
Urich v. White [43,258] 58
Food Stamp Program/Reduction of Benefits
Baum v. Lyng [43,474] 273
Johnston v. Ellenbecker [43,724] 664, 1143
Rios v. South Dakota Dep't of Social Servs. [43,328] 59
Williams v. Patterson [42,536] 1144, 1425
Food Stamp Program/Reduction of Benefits/Increased Income
Maness v. Tennessee Dep't of Human Servs. [43,361] 168
Murphy v. Commissioner of W. Va. Dep't of Human Servs. [44,167] 1295
Food Stamp Program/Regulations
Massachusetts Dep't of Pub. Welfare v. Lyng [44,131] 1425
Wilson v. Lyng [42,141] 397, 788
Food Stamp Program/Regulations/Compliance
Moore v. Perales [40,153] 843
Food Stamp Program/Regulations/ Implementation
Brooks v. Min [43,598] 509
Skipper v. Duffy [37,338] 788, 1295
Food Stamp Program/Residency Requirements
Gray, *In re* [43,431] 293
Food Stamp Program/Retroactive Benefits
Cotton v. Mansour [37,134] 1295
Glendenning v. Duffy [39,785] 508
Metzer v. Lyng [41,735] 694, 1143
Food Stamp Program/SSI-SSA Recipient Eligibility
West v. Bowen [44,143] 1145
Williams v. Patterson [42,536] 1144, 1425
Food Stamp Program/Striker Eligibility
Lyng v. International Union-UAW [37,553] 58
Food Stamp Program/Termination
Hamilton v. Lyng [43,557] 397
Food Stamp Program/Termination/Notice
Aponte, *In re* [43,811] 790
Food Stamp Program/Utility Costs Estimates
West v. Bowen [44,143] 1145
Food Stamp Program/Verification of Information
Owens v. Sugarman [44,037] 1185
Tay v. Flaherty 540
Food Stamp Program/Work Requirements
Aponte, *In re* [43,811] 790
Brooks v. Min [43,598] 509
Wilson v. Lyng [42,141] 397, 788
WIC Program
Price v. Wilzack [41,527] 167
WIC Program/Outreach Programs
Price v. Wilzack [41,527] 167

FREEDOM OF INFORMATION

Denial
Kaganove v. EPA 835
Kubick v. Child & Family Serv. of Mich., Inc. 1328
O'Rourke v. United States Dep't of Justice 540
United States Dep't of Justice v. Julian 298
Denial/Confidential Information
National Wildlife Fed'n v. United States Forest Serv. 1328
Pototsky v. Department of the Navy 1194
Schmerler v. FBI 1328
State Public Records Law
Ohio *ex rel.* Fox v. Cuyahoga County Hosp. 1448
Queen v. West Virginia Univ. Hosp. 299

GARNISHMENT

See also ATTACHMENT, CONSUMER

Bank Accounts
Stensvad v. Towe 832
Bank Accounts/Exemptions
Bowling Green Fed. Employees Credit Union v. Bibb [43,609] 505
Exemptions
Mariche v. Mariche 832
Exemptions/Federal Benefits
First Nat'l Bank of Ada v. Arles [43,788] 780
Gillespie v. Cherry Creek Nat'l Bank [43,321] 55
Exemptions/Wages/Workmen's Compensation
Bowling Green Fed. Employees Credit Union v. Bibb [43,609] 505
Pension Benefits
Mackey v. Lanier Collections Agency & Serv., Inc. 421
Post Judgment/Procedures
Bowling Green Fed. Employees Credit Union v. Bibb [43,609] 505
Schleigh v. Reigh [38,543] 502
Prejudgment
Stensvad v. Towe 832

Wage Assignment
Walsh v. Wal-Mart Stores, Inc. 85
Wages
Walsh v. Wal-Mart Stores, Inc. 85

GOVERNMENT

See also MUNICIPAL-GOVERNMENT SERVICES
Federal Tort Claims Act
Urrutia v. United States [43,776] 809
Liability
Atchinson v. Barry [44,155] 1303
Felder v. Casey [42,957] 391
Johnson v. Commissioner of Correctional Servs. ... 1452
Liability/Sovereign Immunity
Bennett v. White [27,044] 505, 1132, 1313
Marozsan v. United States [43,604] 528
United States v. City of Yonkers 835

HANDICAPPED PERSONS

Architectural Barriers
Americans Disabled for Accessible Pub. Transp. v. Metropolitan Transp. Auth. [44,247] 1426
Architectural Barriers/Barrier-Free Access
Eastern Paralyzed Veterans Ass'n of Pa. v. Sykes 88, 1328
Deaf Persons
California Ass'n of the Physically Handicapped v. Federal Communications Comm'n 191
Discrimination
Gross v. Quinn [44,178] 1288
P., S.L., *In re* 1450
Discrimination/Housing
Evans v. Island Walk [43,549] 398
Garcia v. Petrettee [43,731] 666
Stone Run E. Assocs. v. McDonald [43,845] 807
Discrimination/Prisoners
Bonner v. Lewis 1197
Education
M. v. Illinois State Bd. of Educ. 412
M., Duane v. Orleans Parish School Bd. 1187
Medford v. District of Columbia 831
Turton v. Crisp County School Dist. 691
Education/Appropriate Education Programs
Burr v. Ambach 412, 1448
Hall v. Freeman 1449
Hollenbeck v. Board of Educ. 1328
Holmes v. Sobol [43,645] 510
Jefferson County Bd. of Educ. v. Breen [42,815] 695
Martinez v. School Bd. of Hillsborough County 88, 835, 1326
P. v. Sobol [25,954] 790
Rouse v. Wilson 88
Education/Appropriate Education Programs/Judicial Review
Board of Educ. v. Wieder 1194
Devries v. Spillane [43,722] 665
Lachman v. Illinois State Bd. of Educ. 695
Education/Appropriate Education Programs/Private Schools
McNair v. Cardimone [43,673] 88, 665, 790
Muth v. Central Bucks School Dist. 192
Visco v. School Dist. of Pittsburgh 540
Education/Appropriate Education Programs/Program Modification
Corbett v. Regional Center for the E. Bay, Inc. 88
Cronin v. Board of Educ. of East Ramapo Cent. School Dist. 695
Education/Appropriate Education Programs/Public Schools
Evans v. District No. 17 of Douglas County, Neb. 192
Kattan v. District of Columbia 835
Polk v. Central Susquehanna Intermediate Unit 16 694
Education/Appropriate Education Programs/Residential Schools
P., Drew v. Clarke County School Dist. 88
Spielberg v. Henrico County Pub. Schools 694
Education/Appropriate Education Programs/School Costs
V. v. Providence School Bd. 192
Education/Deaf Children
Lachman v. Illinois State Bd. of Educ. 695
Visco v. School Dist. of Pittsburgh 540
Education/Diagnosis and Evaluation
P. v. Sobol [25,954] 790
Education/Discrimination
N. v. Brock [43,593] 509
Education/Discrimination/Integration
Martinez v. School Bd. of Hillsborough County 88, 835, 1326
Education/Emotionally Disturbed Children
Dougherty v. Maine Dep't of Educ. & Cultural Servs. [43,959] 1146
Hall v. Freeman 1449
Parents of Child, Code No. 870901W v. Coker 88
Education/Fees
Burr v. Ambach 412, 1448
Hiller v. Board of Educ. of Brunswick Cent. School Dist. 695
Knight v. District of Columbia 835
Education/Hearings
Arons v. New Jersey Bd. of Educ. 188
Education/Institutions for Mentally Retarded
Jefferson County Bd. of Educ. v. Breen [42,815] 695
Education/Learning Disabled Children
Board of Educ. v. Dienelt [42,816] 299
Education/Mentally Handicapped Persons
Abney v. District of Columbia [43,571] 509
Evans v. District No. 17 of Douglas County, Neb. 192
Education/Placement
Board of Educ. v. Wieder 1194
Martinez v. School Bd. of Hillsborough County 88, 835, 1326
Education/Placement/Due Process
Lenhoff v. Farmington Pub. Schools 192

Muth v. Central Bucks School Dist. 192
Education/Placement/Due Process/Parents' Rights
Spielberg v. Henrico County Pub. Schools 694
Education/Placement/Emotionally Disturbed Children
Jefferson County Bd. of Educ. v. Breen [42,815] 695
Education/Placement/Mainstreaming
Devries v. Spillane [43,722] 665
Education/Placement/Parents' Rights
Cronin v. Board of Educ. of East Ramapo Cent. School Dist. 695
Evans v. District No. 17 of Douglas County, Neb. . . . 192
P., Drew v. Clarke County School Dist. 88
Secor v. Richmond School Joint Dist. 695
Education/Placement/Private Schools
Antkowiak v. Ambach [42,637] 192
Board of Educ. v. Dienelt [42,816] 299
Knight v. District of Columbia 835
Education/Placement/Public Schools
K. v. Board of Educ. of Chicago [31,144] 274
Kattan v. District of Columbia 835
Lachman v. Illinois State Bd. of Educ. 695
Education/Placement/Residency
Hall v. Freeman 1449
Education/Placement/Residential Schools
Corbett v. Regional Center for the E. Bay, Inc. 88
Hall v. Freeman 1449
Education/Placement/Timely Evaluation and Placement
Dougherty v. Maine Dep't of Educ. & Cultural Servs. [43,959] 1146
Lenhoff v. Farmington Pub. Schools 192
P. v. Sobol [25,954] 790
Education/Residential Schools
Abney v. District of Columbia [43,571] 509
Antkowiak v. Ambach [42,637] 192
Kerr Center Parents Assoc. v. Charles 299
Education/Special Education/State Administration and Financing
Natrona County School Dist. 1 v. Ryan 1449
Wyoming v. Cochran 1449
Education/Special Education/Tuition Reimbursement
Hall v. Freeman 1449
Knight v. District of Columbia 835
Education/Surrogate Parents
Abney v. District of Columbia [43,571] 509
Education/Transfer of Students
Spielberg v. Henrico County Pub. Schools 694
Education/Transportation
Abney v. District of Columbia [43,571] 509
Barwacz v. Michigan Dep't of Educ. 299
McNair v. Cardimone [43,673] 88, 665, 790
Employment Discrimination
Ackerman v. Western Elec. Co., Inc. 1193
Bowerman v. Malloy Lithographing, Inc. 1449
California Ass'n of the Physically Handicapped v. Federal Communications Comm'n 191
Employment Discrimination/Deaf Persons
Cousins v. United States Dep't of Transp. 1194
McAlister v. Missouri Div. of Employment Sec. 304
Employment Discrimination/Definition of Qualified Individual
Chevron Corp. v. Redmon 299
Coley v. Secretary of Army 695
Raytheon Co. v. Fair Employment & Hous. Comm'n [43,384] 273
Employment Discrimination/Diabetics
Jackson v. Maine 695
Employment Discrimination/Private Right of Action
Cousins v. United States Dep't of Transp. 1194
Employment Discrimination/Rehabilitation Act
Cousins v. United States Dep't of Transp. 1194
Fynes v. Weinberger 87
Hall v. United States Postal Serv. 1194
Employment Discrimination/Rehabilitation Act/Section 504
Jackson v. Maine 695
Recanzone v. Washoe County School Dist. 1328
Handicapped Children's Protection Act
D. v. Sobel 691
Eggers v. Bullitt County School Dist. [43,813] 774
Georgia Ass'n of Retarded Citizens v. McDaniel [30,742] 830, 832
Rossi v. Gosling 1323
Turton v. Crisp County School Dist. 691
Health Care Services
Prange, Estate of, *In re* [43,358] 169
Ross v. Hilltop Rehabilitation Hosp. 88
Health Care Services/Home Care Allowance
Welch v. Partners Health Plan of S. Cal. [44,287] 1427
Institutionalization
North Bay Regional Center v. S. [44,174] 1296
Least Restrictive Alternative
Bogard v. Duffy [43,370] 168
Least Restrictive Alternative/Community-Based Programs
Savidge v. Fincannon 88
W. v. Cabinet for Human Resources [43,704] 665
Least Restrictive Alternative/Community-Based Programs/Zoning
Summers, *In re* 1449
Mentally Handicapped
Evans v. Island Walk [43,549] 398
S. v. Flaherty [44,062] 1161
W., Gary v. Louisiana Dept. of Health & Human Resources [14,420] 1323
Mentally Handicapped/Community Placement
Goebel v. Colorado Dep't of Insts. [39,426] 1162
Melrose v. McMahon [43,344] 178
Savidge v. Fincannon 88

Mentally Retarded
Doe v. Austin [33,390] 542
Pennsylvania Dep't of Pub. Welfare v. Alessi 832
Police & Fire Ass'n for Handicapped Children v. City of Philadelphia 1449
W. v. Cabinet for Human Resources [43,704] 665
W., Gary v. Louisiana Dept. of Health & Human Resources [14,420] 1323
Mentally Retarded/Community Living Arrangements
Bogard v. Duffy [43,370] 168
Dempsey v. Senior Servs. Div. (*In re* Dempsey) 835
Summers, *In re* 1449
Mentally Retarded/Parents' Rights
P., S.L., *In re* 1450
Rehabilitation Act
Bogard v. Duffy [43,370] 168
Gross v. Quinn [44,178] 1288
Lemere v. Burnley 416
Peabody Properties v. Jeffries [44,198] 1296
Ross v. Hilltop Rehabilitation Hosp. 88
Rehabilitation Act/ Employment Discrimination
Chalk v. United States Dist. Court Cent. Dist. of Cal. [43,121] 191
Fynes v. Weinberger 87
Hall v. United States Postal Serv. 1194
Harrison v. Marsh 835
Rehabilitation Act/Private Right of Action
Georgia Ass'n of Retarded Citizens v. McDaniel [30,742] 830, 832
Rehabilitation Act/Section 501/ Special Accommodations
Harrison v. Marsh 835
Rehabilitation Act/Section 503
Raytheon Co. v. Fair Employment & Hous. Comm'n [43,384] 273
Rehabilitation Act/Section 504
Bonner v. Lewis 1197
Doe v. Centinela Hosp. [43,596] 512
Jones v. Lamb [44,229] 1431
Recanzone v. Washoe County School Dist. 1328
Traynor v. Turnage [41,207] 198
Rehabilitation Act/Section 504/ Standing to Sue
Goebel v. Colorado Dep't of Insts. [39,426] 1162
Transportation/Public Transportation/Accessibility
Americans Disabled for Accessible Pub. Transp. v. Burnley [43,230] 1426
Americans Disabled for Accessible Pub. Transp. v. Metropolitan Transp. Auth. [44,247] 1426
Buchanan v. Clark County Pub. Transp. Benefit Area Auth. [43,644] 510
Disabled in Action of Penn., *In re* [43,323] 60
Eastern Paralyzed Veterans Ass'n of Pa. v. Sykes 88, 1328
Jones v. Chicago Transit Auth. [43,383] 168
Welfare
Gaspard v. Adult & Family Serv. Div. 1455
George v. Donovan 695

HEALTH

See also HILL-BURTON ACT, MEDICAID, MEDICAL ASSISTANCE PROGRAMS, MEDICARE, MENTAL HEALTH

AIDS
Baez v. Rapping 195
Belle Bonfils Memorial Blood Center v. District Court 1189
Chalk v. United States Dist. Court Cent. Dist. of Cal. [43,121] 191
Chapoton v. Majestic Caterers [44,286] 1428
Cruz, *In re* [43,356] 182
Doe v. Centinela Hosp. [43,596] 512
Doe v. Dolton Elementary School Dist. No. 148 834
Doe v. Neumayer [43,541] 405, 1308
Doe v. Prime Health/Kansas City, Inc. [43,856] 742
Glick v. Henderson 838
Glover v. Eastern Neb. Community Office of Retardation 539
Martinez v. School Bd. of Hillsborough County 88, 835, 1326
Muhammad v. Carlson 419
Parents of Child, Code No. 870901W v. Coker 88
Plowman v. United States Dep't of Army 1328
Poff v. Caro 1196
Raytheon Co. v. Fair Employment & Hous. Comm'n [43,384] 273
Stewart v. Stewart 414
Alcoholism
Hiltebeitel v. Pennsylvania Unemployment Compensation Bd. of Review 1454
James River Corp. v. Employment Div. 1454
Salazar v. Ohio Civil Rights Comm'n 1328
Traynor v. Turnage [41,207] 198
Communicable Diseases
Doe v. Prime Health/Kansas City, Inc. [43,856] 742
Dental Care
Brown v. Kizer [43,729] 668
Noble v. Placer County Bd. of Supervisors [43,292] 171
Discrimination
Doe v. Centinela Hosp. [43,596] 512
Drug Abuse
Casse v. Louisiana Gen. Servs., Inc. 1448
Hiltebeitel v. Pennsylvania Unemployment Compensation Bd. of Review 1454
Family Planning Services
Bowen v. Kendrick 413
Massachusetts v. Bowen 192
Health Maintenance Organizations
Thompson v. Midwest Found. Indep. Physicians Ass'n [43,462] 275
Welch v. Partners Health Plan of S. Cal. [44,287] 1427

Home Health Care
Boston v. Elavsky [44,177] 1300
Hospitals/Access
Stat Ambulance Serv. v. Starr [44,206] 1300
Hospitals/Access/Indigents
DuQuoin v. Lander Valley Regional Medical Center [43,468] 277
Etter v. Board of Supervisors of County of Los Angeles [43,346] 276
Perez v. Maricopa County 1195
Hospitals/Collection Practices
Perez v. Maricopa County 1195
Radiology v. Connor [43,828] 782
Webb v. Hillsborough County Hosp. Auth. 299
Hospitals/Collection Practices/Affirmative Defenses/Hill-Burton Act
Bowman v. Hinkle [43,868] 795
Hospitals/Collection Practices/Medicaid Recipients
Bowman v. Hinkle [43,868] 795
Hospitals/Costs
Covenant Medical Center v. Youngblut [43,982] ... 1151
Hospitals/Discrimination
Cook v. Ochsner Found. Hosp. [3973] 1298
Hospitals/Negligence
Belle Bonfils Memorial Blood Center v. District Court 1189
Hospitals/Public Hospital Closures
Johnson v. Utah State Retirement Office [43,481] 406
Wood v. Board of County Comm'rs of Fremont County [43,839] 793
Hospitals/Records
Belle Bonfils Memorial Blood Center v. District Court 1189
Hospitals/Reimbursement
Perez v. Maricopa County 1195
Hospitals/Transfers
Ritter v. Wayne County Gen. Hosp. [43,281] 63
Life-Sustaining Treatment/Nutrition and Hydration
Cruzan v. Harmon [44,045] 1145
Gary v. San Diego County Superior Court [44,087] 1145
Westchester County Medical Center, *In re* 1449
Midwifery
Illinois v. Jihan [42,991] 667
Nursing Homes
Sarrassat v. Bowen [43,444] 274
Nursing Homes/Conditions
Hart v. Roseman [44,074] 1150
Nursing Homes/Discrimination
Catir v. Commissioner of Dep't of Human Servs. [41,453] 399
Nursing Homes/Eviction/Hearings
Melrose v. McMahon [43,344] 178
Nursing Homes/Licenses
Hart v. Roseman [44,074] 1150
Nursing Homes/Ombudsman Program
Hart v. Roseman [44,074] 1150
Hoffman v. Otwell [43,637] 522
Physicians
Thompson v. Midwest Found. Indep. Physicians Ass'n [43,462] 275
Records
Doe v. Prime Health/Kansas City, Inc. [43,856] 742
Right to Refuse Treatment
C., A., *In re* 89
Prange, Estate of, *In re* [43,358] 169
Ross v. Hilltop Rehabilitation Hosp. 88
Right to Treatment
Cruzan v. Harmon [44,045] 1145
Gary v. San Diego County Superior Court [44,087] 1145
V., J. v. Florida 89

HILL-BURTON ACT

See also HEALTH, MEDICAID, MEDICAL ASSISTANCE PROGRAMS, MEDICARE
Community Service Obligation
Mary Washington Hosp., *In re* [43,381] 172
Ritter v. Wayne County Gen. Hosp. [43,281] 63
Debt Collection Defense
Bowman v. Hinkle [43,868] 795
HHS Enforcement Responsibilities
Mary Washington Hosp., *In re* [43,381] 172
Otto Kaiser Memorial Hosp., *In re* [42,385] 1151
Regulations/Compliance
Otto Kaiser Memorial Hosp., *In re* [42,385] 1151
Uncompensated Care/Eligibility
Otto Kaiser Memorial Hosp., *In re* [42,385] 1151

HOMELESS

See HOUSING

HOUSING

See also COMMUNITY DEVELOPMENT, ECONOMIC DEVELOPMENT, RELOCATION, URBAN RENEWAL, ZONING

Block Grants/Community Development Block Grants
Martin v. Taft [43,758] 671

Block Grants/Community Development Block Grants/Allocation of Funds
Rural Alaska Community Action Program v. Smith 538

Block Grants/Community Development Block Grants/Non-Compliance Remedies
City of Kansas City, Mo. v. HUD 1329
Pleasant v. Heritage Convalescent Center of Paradise [44,259] 1427

Block Grants/Community Development Block Grants/Objections to Proposed Projects
Houston v. City of Cocoa [44,272] 1429

Block Grants/Urban Development Action Grants
Pleune v. Pierce [42,180] 798

Brooke Amendment
Duncan v. Sabal Palms I Assoc. [44,209] 1302

Condominium Conversion/Senior Citizens
Elroe Realty v. Fraga [43,426] 284

Construction/Low- to Moderate-Income Housing
Ellis v. HUD [43,847] 799
Martin v. Taft [43,758] 671

Construction/Low- to Moderate-Income Housing/Racially Impaired Area
Keith v. Volpe [7519] 1195

Construction/Low- to Moderate-Income Housing/Site Selection
Huntington Branch, NAACP v. Town of Huntington 416
Sanders v. HUD [43,803] 798
United States v. Yonkers Bd. of Educ. 89

Cooperative Conversion
Joyner v. Jonathan Woodner Co. [43,293] 70

Demolition
Ad Hoc Hous. Coalition v. City of Long Beach [43,423] 280
Houston v. City of Cocoa [44,272] 1429
Tillman v. Housing Auth. of Pittsburgh [43,352] 173, 796

Demolition/Costs
Residents Council of Allen Parkway Village v. HUD [44,276] 1431

Discrimination
Grieger v. Sheets 697
Maxwell v. Pryde [42,786] 71

Discrimination/Approval of Low-Income Housing
Ad Hoc Hous. Coalition v. City of Long Beach [43,423] 280
Davis v. City of Berkeley 1449
Guyton v. City of Alameda [44,257] 1443
Martin v. Taft [43,758] 671

Discrimination/Fair Housing
Ellis v. HUD [43,847] 799
Hudler v. Cole 1450
Huntington Branch, NAACP v. Town of Huntington 416
Pleune v. Pierce [42,180] 798
Sanders v. Pounders [43,460] 283

Discrimination/Fair Housing/City Rejection
Keith v. Volpe [7519] 1195

Discrimination/Handicapped Persons
Garcia v. Petrettee [43,731] 666
Jones v. Lamb [44,229] 1431
Peabody Properties v. Jeffries [44,198] 1296
Poff v. Caro 1196

Discrimination/Low-Income Housing Site Selection/Minority Developments
Martin v. Taft [43,758] 671
Sanders v. HUD [43,803] 798

Discrimination/Racial Discrimination
Gardner v. Romano 697
Guyton v. City of Alameda [44,257] 1443
Laudon v. Loos 837
Old West End Ass'n v. Buckeye Fed. Sav. & Loan 89
Pinchback v. Armistead Homes Corp. 696
Sanders v. HUD [43,803] 798
Sanders v. Pounders [43,460] 283
United States v. Starrett City Assoc. 193
Young v. Pierce [41,451] 65

Emergency Assistance
Acosta v. Hansen [44,244] 1433

Emergency Assistance/Shelters
Franklin v. New Jersey Dep't of Human Servs. [43,608] 516
Parker v. Baltimore County Dep't of Social Servs. [43,991] 1155
Vingara v. Borough of Wrightstown [42,795] 281
Walls v. District of Columbia [43,461] 402

Farmers Home Administration/FmHA Homeownership Programs
Allen v. United States Dep't of Agriculture, FHA 1329

Farmers Home Administration/FmHA Homeownership Programs/Eligibility
United States v. Edwards [43,554] 406

Farmers Home Administration/FmHA Homeownership Programs/Foreclosures
United States v. Austin 840
United States v. Edwards [43,554] 406
Williams v. Butz [19,468] 303

Farmers Home Administration/FmHA Homeownership Programs/Foreclosures/Defenses
United States v. Mikolaitis 303

Farmers Home Administration/FmHA Rental Housing Program
Hussion v. Lyng [41,616] 163

Farmers Home Administration/FmHA Rental Housing Program/Admissions/Eligibility
Purcell, *In re* [44,292] 1434
Farmers Home Administration/FmHA Rental Housing Program/Evictions
Andrea Lane Assocs. v. Brewer [43,640] 517
Baer v. Lyng [42,793] 400
Farmers Home Administration/FmHA Rental Housing Program/Evictions/Grievance Procedures
Baer v. Lyng [42,793] 400
Farmers Home Administration/FmHA Rental Housing Program/Evictions/Notice
Andrea Lane Assocs. v. Brewer [43,640] 517
Farmers Home Administration/FmHA Rental Housing Program/Security Deposits
White v. AJY Management Group [43,783] 803
Farmers Home Administration/FmHA Rental Housing Program/Utilities
White v. AJY Management Group [43,783] 803
Federal Housing Programs
Ellis v. HUD [43,847] 799
Federal Housing Programs/Admissions/Requirements
Hoyesen v. Prete [43,364] 172
Federal Housing Programs/Conveyance of Property to HUD
United States v. Martin [43,735] 671
Federal Housing Programs/Evictions
Community Hous. Alternatives v. Latta 89
Federal Housing Programs/Evictions/Grounds
Investors Diversified Property Management, Inc. v. Brown [44,058] 1154
Perrysburg Ecumenical Hous. v. Leu [43,386] 174
Pheasant Ridge Apartments v. Bier [43,745] 672
Federal Housing Programs/Evictions/Procedures/Good Cause
Peabody Properties v. Jeffries [44,198] 1296
Federal Housing Programs/Grievance Procedure/Hearings
Housing Auth. of St. Louis County v. Lovejoy [44,190] 1303
Federal Housing Programs/HUD-Insured Mortgages
Duncan v. Sabal Palms I Assoc. [44,209] 1302
Orrego v. HUD [43,231] 1153
Federal Housing Programs/HUD-Insured Mortgages/Assignment Program
Banc Plus Mortgage v. McClaskey [43,736] 673
Mason v. Pierce [43,529] 401
Federal Housing Programs/Leases/Unreasonable Provisions
Taylor v. Marshall Plaza II [44,277] 1432
Federal Housing Programs/Loss of Units
Orrego v. HUD [43,231] 1153
Tinsley v. Pierce [44,154] 1302
Trapp v. HUD [44,278] 1430
Federal Housing Programs/Loss of Units/Disposition by HUD
Lee v. Pierce [43,709] 669, 797, 1152
Federal Housing Programs/Loss of Units/Foreclosure of Mortgage
Little Earth of United Tribes, Inc. v. HUD [37,773] 836
Federal Housing Programs/Management/Rent Collection Practices
Dawson v. City of Kent 300
Federal Housing Programs/Rent
Chestnut Park Assoc. v. Clark [43,560] 403
Federal Housing Programs/Repairs/Failure to Make Repairs
Duncan v. Sabal Palms I Assoc. [44,209] 1302
Tinsley v. Pierce [44,154] 1302
Federal Housing Programs/Section 202
Perrysburg Ecumenical Hous. v. Leu [43,386] 174
Federal Housing Programs/Section 235
Mason v. Pierce [43,529] 401
Federal Housing Programs/Section 236
Pheasant Ridge Apartments v. Bier [43,745] 672
Federal Housing Programs/Site Selection
Davis v. City of Berkeley 1449
Federal Housing Programs/Utilities
Holley v. Housing Auth. of City of Austin [43,198] 279
Federal Housing Programs/Utilities/Utility Allowance
Baum v. Lyng [43,474] 273
Homeless
Atchinson v. Barry [44,155] 1303
Lee v. Pierce [43,709] 669, 797, 1152
Luiz v. Bowen [43,264] 79
National Coalition for the Homeless v. VA [43,806] 797
Parker v. Baltimore County Dep't of Social Servs. [43,991] 1155
Putnam County Dep't of Health v. Gillen [44,160] 1304
Town of Brookhaven v. Marian Chun Enters. [43,639] 658
Tynan v. Woolley [42,820] 507
United States v. Martin [43,735] 671
Vingara v. Borough of Wrightstown [42,795] 281
Walls v. District of Columbia [43,461] 402
Washington State Coalition for the Homeless v. Sugarman [44,223] 1320
Younger v. Turnage 94
Housing and Community Development Act
Pleune v. Pierce [42,180] 798
Land Contracts
U.S. Home & Realty Corp. v. Lehnartz [43,259] 57
Land Contracts/Foreclosure
Henslee v. Madison Guar. Sav. & Loan 1444
Landlord-Tenant
Franco v. Kent Farm Village [44,149] 1290

Landlord-Tenant/Agents Unauthorized to Practice Law
YWCA of Canton, Inc. v. Hager [43,650] 518
Landlord-Tenant/Code Violations
Duncan v. Sabal Palms I Assoc. [44,209] 1302
Nwankwo v. District of Columbia Rental Hous. Comm'n [43,627] 519
Saravia v. 1736 18th St., N.W., Ltd. Partnership [43,353] 177
Washington Gas Light Co. v. 1736 18th St., N.W. Ltd. Partnership [43,605] 519
White Plains v. Universal Motor Lodges [43,852] 803
Landlord-Tenant/Code Violations/Enforcement
Mudd v. District of Columbia Rental Hous. Comm'n [43,860] 807
Landlord-Tenant/Code Violations/Refusal to Correct
Mudd v. District of Columbia Rental Hous. Comm'n [43,860] 807
Landlord-Tenant/Code Violations/Rent Withholding
Chernin v. Welchans 301
Landlord-Tenant/Condominium Conversion/ Right of First Refusal
Angry Tenants Against Conversion v. Woodland Manor Assoc. [43,873] 799
Popular Inv. Co. v. Mayor & City Council of Baltimore [42,964] 70
Landlord-Tenant/Consumer Protection Act/Applicability of
Borden v. Patterson [43,668] 675
Frazier v. Priest [44,061] 1160
Landlord-Tenant/Discrimination/Fair Housing
Sanders v. Pounders [43,460] 283
Landlord-Tenant/Discrimination/Handicapped Persons
Poff v. Caro 1196
Stone Run E. Assocs. v. McDonald [43,845] 807
Landlord-Tenant/Discrimination/Racial
Laudon v. Loos 837
Sanders v. Pounders [43,460] 283
Stone Run E. Assocs. v. McDonald [43,845] 807
United States v. Starrett City Assoc. 193
Landlord-Tenant/Discrimination/Racial/Removal of Units from Open Market
Gardner v. Romano 697
Landlord-Tenant/Discrimination/Tenants with Children
Hudler v. Cole 1450
Maxwell v. Pryde [42,786] 71
Landlord-Tenant/Escrow
Ohio *ex rel.* Gudzinas v. Constantino [44,202] 1289
Landlord-Tenant/Evictions
Lewey v. Chelsea Div. of Dist. Court [43,848] 779
Landlord-Tenant/Evictions/Abandonment
Jetton v. Martin [43,305] 69
Landlord-Tenant/Evictions/Affirmative Defenses
1212 S. Michigan Partnership v. Crawford [43,430] 284
Stone Run E. Assocs. v. McDonald [43,845] 807
Landlord-Tenant/Evictions/Constructive Eviction
Sample v. Payne [43,459] 284
Landlord-Tenant/Evictions/Damages
Martino v. Pelandis [43,425] 403
Robinson v. Sarisky [43,282] 65
Sample v. Payne [43,459] 284
Landlord-Tenant/Evictions/Defenses
Community Hous. Alternatives v. Latta 89
Highland Glen Ltd. Partnership v. Hawkins [43,551] 404
Stone Run E. Assocs. v. McDonald [43,845] 807
Landlord-Tenant/Evictions/Defenses/Constructive Eviction
Morrison v. Smith 1330
Landlord-Tenant/Evictions/Defenses/Procedural Defenses
Jack Moritz Co. Management v. Walker [44,273] 1432
Jetton v. Martin [43,305] 69
McCrory v. Johnson [43,626] 660
Landlord-Tenant/Evictions/Defenses/Repair and Deduct
Oakes v. Buffalohead [43,387] 177, 1161
Landlord-Tenant/Evictions/Jury Trial/Right to
North School Congregate Hous. Partners v. Merrithew [43,955] 1160
Landlord-Tenant/Evictions/Late Payments
A.P. Dev. Corp. v. Band 1450
Landlord-Tenant/Evictions/Mobile Homes
Johnson v. Swann 1450
Morf v. North Glenview Mobile Home Park [43,634] 519
Landlord-Tenant/Evictions/Mobile Homes/Notice
A.P. Dev. Corp. v. Band 1450
Landlord-Tenant/Evictions/Notice
A.P. Dev. Corp. v. Band 1450
Sample v. Payne [43,459] 284
Landlord-Tenant/Evictions/Notice/Posting
Lastrapes v. Housing Auth. of Opelousas [43,672] 670, 1153
Landlord-Tenant/Evictions/Notice/Waiver
Chillicothe Metro. Hous. Auth. v. Anderson [43,832] 802
1212 S. Michigan Partnership v. Crawford [43,430] 284
Landlord-Tenant/Evictions/Payment and Acceptance of Rental Balance
A.P. Dev. Corp. v. Band 1450
Landlord-Tenant/Evictions/Rent
McQueen v. Lustine Realty [43,833] 778
Landlord-Tenant/Evictions/Rent/Deposit in Court
Cunningham v. Phoenix Management [44,117] 1159
Landlord-Tenant/Evictions/Rent/Increases
Elroe Realty v. Fraga [43,426] 284

Landlord-Tenant/Evictions/Rent/ Nonpayment of Rent
Hagner Management Corp. v. Lawson [43,207] 69
Mendenhall-Moore Realtors v. Sedoris [43,536] 404
Oakes v. Buffalohead [43,387] 177, 1161
Saunders & Assoc. v. 29 Newbury St. (*In re* 29 Newbury St., Inc.) 831
Landlord-Tenant/Evictions/Rent Control
McQueen v. Lustine Realty [43,833] 778
Landlord-Tenant/Evictions/Residential Hotels
Brisco v. Eckles [44,039] 1159
Landlord-Tenant/Evictions/Retaliatory
Wiley v. Cutler [44,066] 1160
Landlord-Tenant/Evictions/Self-Help/Lockout
Brisco v. Eckles [44,039] 1159
Martino v. Pelandis [43,425] 403
Robinson v. Sarisky [43,282] 65
Landlord-Tenant/Evictions/ Summary Proceedings
Lewey v. Chelsea Div. of Dist. Court [43,848] 779
Landlord-Tenant/Evictions/Summary Proceedings/Notice
Chillicothe Metro. Hous. Auth. v. Anderson [43,832] 802
Landlord-Tenant/Late Charges
Pheasant Ridge Apartments v. Bier [43,745] 672
Landlord-Tenant/Leases/Breach
Highland Glen Ltd. Partnership v. Hawkins [43,551] 404
Jack Moritz Co. Management v. Walker [44,273] 1432
Proffer v. Randall 1196
Taylor v. Marshall Plaza II [44,277] 1432
Landlord-Tenant/Leases/Illegal Clauses
Daddona v. Liberty Mobile Home Sales, Inc. 1450
Kiviniemi v. Narramore [43,369] 177
Landlord-Tenant/Leases/Renewal Options
Morf v. North Glenview Mobile Home Park [43,634] 519
Landlord-Tenant/Leases/Termination
Saravia v. 1736 18th St., N.W., Ltd. Partnership [43,353] 177
Landlord-Tenant/Leases/Termination/Terms and Conditions
Chillicothe Metro. Hous. Auth. v. Anderson [43,832] 802
M.C. Assoc. v. Shah 697
Landlord-Tenant/Quiet Enjoyment
Morrison v. Smith 1330
Taylor v. Marshall Plaza II [44,277] 1432
Landlord-Tenant/Rent/Abatement
Dooley v. Rutherfoord [43,301] 71
Kelley v. Rutherfoord [43,299] 71
Schactman v. New York Div. of Hous. & Community Renewal 1196
Landlord-Tenant/Rent/Abatement/Deposits in Court
Ohio *ex rel.* Gudzinas v. Constantino [44,202] 1289
Landlord-Tenant/Rent/Acceptance in Lieu of Eviction
Saunders & Assoc. v. 29 Newbury St. (*In re* 29 Newbury St., Inc.) 831
Landlord-Tenant/Rent/Increases
Elroe Realty v. Fraga [43,426] 284
Landlord-Tenant/Rent/Increases/Lease Provisions
Chestnut Park Assoc. v. Clark [43,560] 403
Landlord-Tenant/Rent/Increases/Notice
Nwankwo v. District of Columbia Rental Hous. Comm'n [43,627] 519
Landlord-Tenant/Rent/Rebates
Schactman v. New York Div. of Hous. & Community Renewal 1196
Landlord-Tenant/Rent/Regulations
Mudd v. District of Columbia Rental Hous. Comm'n [43,860] 807
Landlord-Tenant/Rent/Surcharges
Schactman v. New York Div. of Hous. & Community Renewal 1196
Landlord-Tenant/Rent Control
Elroe Realty v. Fraga [43,426] 284
Hagner Management Corp. v. Lawson [43,207] 69
Revithes v. District of Columbia Rental Hous. Comm'n [43,266] 70
Temple v. District of Columbia Rental Hous. Comm'n [43,267] 66
Landlord-Tenant/Rent Control/Exemptions
McQueen v. Lustine Realty [43,833] 778
Landlord-Tenant/Repairs
Dooley v. Rutherfoord [43,301] 71
Kelley v. Rutherfoord [43,299] 71
Washington Gas Light Co. v. 1736 18th St., N.W. Ltd. Partnership [43,605] 519
Landlord-Tenant/Repairs/Landlord's Duty
Mudd v. District of Columbia Rental Hous. Comm'n [43,860] 807
Landlord-Tenant/Repairs/Repair and Deduct
Oakes v. Buffalohead [43,387] 177, 1161
Landlord-Tenant/Residential Hotels
White Plains v. Universal Motor Lodges [43,852] 803
Landlord-Tenant/Residential Hotels/Summary Proceedings/Lack of
Brisco v. Eckles [44,039] 1159
Landlord-Tenant/Security Deposits
Long v. Medici [43,153] 518
Landlord-Tenant/Security Deposits/Return of
Lastra v. Intercontinental Invs. Co., Inc. 300
Landlord-Tenant/Termination of Tenancy
M.C. Assoc. v. Shah 697
Landlord-Tenant/Termination of Tenancy/Good Cause
Peabody Properties v. Jeffries [44,198] 1296
Silveira v. Lewis [43,956] 1159
Landlord-Tenant/Termination of Tenancy/Notice
Silveira v. Lewis [43,956] 1159
Landlord-Tenant/Torts
Craig v. Wells [42,031] 656

Landlord-Tenant/Torts/Code Violations/Tenant's Remedies
Dooley v. Rutherfoord [43,301] 71
Kelley v. Rutherfoord [43,299] 71
Landlord-Tenant/Torts/Distraint of Tenant's Property
Masciulli v. Martin [43,472] 269
Landlord-Tenant/Torts/Emotional Distress
Joyner v. Jonathan Woodner Co. [43,293] 70
Landlord-Tenant/Torts/Harassment
Grieger v. Sheets 697
Landlord-Tenant/Torts/Nuisance
Joyner v. Jonathan Woodner Co. [43,293] 70
Landlord-Tenant/Torts/Trespass
Morrison v. Smith 1330
Landlord-Tenant/Torts/Utility Shutoff
Morrison v. Smith 1330
Landlord-Tenant/Utility Charges
Borden v. Patterson [43,668] 675
Landlord-Tenant/Utility Termination/By Landlord
Kiviniemi v. Narramore [43,369] 177
Landlord-Tenant/Warranty of Habitability
Wiley v. Cutler [44,066] 1160
Landlord-Tenant/Warranty of Habitability/Breach
Frazier v. Priest [44,061] 1160
Mendenhall-Moore Realtors v. Sedoris [43,536] 404
Washington Gas Light Co. v. 1736 18th St., N.W. Ltd. Partnership [43,605] 519
Landlord-Tenant/Warranty of Habitability/Implied
Proffer v. Randall 1196
Mobile Homes
Hudler v. Cole 1450
Johnson v. Swann 1450
Morf v. North Glenview Mobile Home Park [43,634] 519
Thomas, *In re* [43,447] 282
Wiley v. Cutler [44,066] 1160
Mobile Homes/Abandonment
Daddona v. Liberty Mobile Home Sales, Inc. 1450
Mobile Homes/Taking of Property
Daddona v. Liberty Mobile Home Sales, Inc. 1450
Mortgages/Bankruptcy
Watts, *In re* [42,578] 1131
Mortgages/Default
Banc Plus Mortgage v. McClaskey [43,736] 673
Joe v. Pennsylvania Hous. Fin. Agency 300
Mortgages/Default/HUD Obligations
Western & S. Life Ins. Co. v. Smith 1195
Mortgages/Foreclosure
Banc Plus Mortgage v. McClaskey [43,736] 673
Henslee v. Madison Guar. Sav. & Loan 1444
Little Earth of United Tribes, Inc. v. HUD [37,773] 836
United States v. Vonderau 198
Mortgages/Foreclosure/Fraud
Spencer v. Aetna Fin. [43,781] 781
Mortgages/Foreclosure/VA-Insured Mortgages
First Family Mortgage Corp. of Fla. v. Earnest 696
Whitehead v. Turnage [43,805] 801
National Housing Act
Lee v. Pierce [43,709] 669, 797, 1152
National Housing Act/HUD-Insured Mortgages
Western & S. Life Ins. Co. v. Smith 1195
Property Taxes
Robinson v. Sarisky [43,282] 65
Public Housing/Administration
Tillman v. Housing Auth. of Pittsburgh [43,352] 173, 796
Public Housing/Admissions/Eligibility
Hoyesen v. Prete [43,364] 172
Public Housing/Admissions/Procedural Protections/Establishment of Policies
Wright v. Housing Auth. of Providence [43,359] 174
Public Housing/Admissions/Procedural Protections/Informal Hearing on Rejection
Hutchinson v. Ratzlaff [43,825] 796
Public Housing/Admissions/Procedural Protections/Notice of Status
Hutchinson v. Ratzlaff [43,825] 796
Wright v. Housing Auth. of Providence [43,359] 174
Public Housing/Admissions/Procedural Protections/Prompt Decisions
Hutchinson v. Ratzlaff [43,825] 796
Public Housing/Admissions/Procedural Protections/Reasons for Rejection
Wright v. Housing Auth. of Providence [43,359] 174
Public Housing/Discrimination
Addison v. Housing Auth. of Woonsocket [43,721] 671, 1430
Hoyesen v. Prete [43,364] 172
Saginaw Hous. Comm'n v. Johnson [43,446] 281
Public Housing/Discrimination/Handicapped Persons
Jones v. Lamb [44,229] 1431
Public Housing/Discrimination/Racial
Sanders v. HUD [43,803] 798
Young v. Pierce [41,451] 65
Public Housing/Discrimination/Site Selection
Davis v. City of Berkeley 1449
Sanders v. HUD [43,803] 798
United States v. Yonkers Bd. of Educ. 89
Public Housing/Evictions
Saginaw Hous. Comm'n v. Johnson [43,446] 281
Public Housing/Evictions/Defenses
Columbus Metro. Hous. Auth. v. Divens [43,374] 173
Housing Auth. of Harlan v. Simpson [44,162] 1304
Housing Auth. of Madisonville v. Adams [43,540] 402
Housing Auth. of St. Louis County v. Boone [43,799] 300, 802
Public Housing/Evictions/Grounds
Addison v. Housing Auth. of Woonsocket [43,721] 671, 1430
Collins v. Cohoes Hous. Auth. [44,069] 1155

Public Housing/Evictions/Grounds/Late Payment of Rent
Housing Auth. of Harlan v. Simpson [44,162] 1304
Housing Auth. of Madisonville v. Adams [43,540] 402
Public Housing/Evictions/Grounds/Nonpayment of Rent
Duran v. Housing Auth. of City & County of Denver [43,823] 801
Housing Auth. of St. Louis County v. Boone 300, 802
Lorain Metro. Hous. Auth. v. Cajka [44,256] 1433
Public Housing/Evictions/Grounds/Visitors and Guests
Lewiston Hous. Auth. v. Voss [43,646] 517
Moundsville Hous. Auth. v. Porter 836
Public Housing/Evictions/Procedures
Columbus Metro. Hous. Auth. v. Divens [43,374] ... 173
National Tenants Org. v. Pierce [43,958] 1152, 1429
Public Housing/Evictions/Procedures/Administrative Hearing
Burress v. LaFollette Hous. Auth. [43,797] 799
Housing Auth. of St. Louis County v. Boone 300, 802
Public Housing/Evictions/Procedures/Dual Notice
Duran v. Housing Auth. of City & County of Denver [43,823] 801
Public Housing/Evictions/Procedures/Notice
Burress v. LaFollette Hous. Auth. [43,797] 799
Chicago Hous. Auth. v. Thompson [43,429] 279
Collins v. Cohoes Hous. Auth. [44,069] 1155
Henry v. Housing Auth. of New Haven [42,760] 172
Lastrapes v. Housing Auth. of Opelousas [43,672] 670, 1153
Public Housing/Evictions/Procedures/Notice/Requirements
Chillicothe Metro. Hous. Auth. v. Anderson [43,832] 802
Public Housing/Grievance Procedure
Chicago Hous. Auth. v. Thompson [43,429] 279
Collins v. Cohoes Hous. Auth. [44,069] 1155
Columbus Metro. Hous. Auth. v. Divens [43,374] ... 173
Housing Auth. of St. Louis County v. Lovejoy [44,190] 1303
Lastrapes v. Housing Auth. of Opelousas [43,672] 670, 1153
National Tenants Org. v. Pierce [43,958] 1152, 1429
Skinner v. Boston Hous. Auth. [43,613] 515
Public Housing/Grievance Procedure/Maintenance Charges
Seales v. Drew [43,992] 1154
Public Housing/Leases
National Tenants Org. v. Pierce [43,958] 1152, 1429
Saginaw Hous. Comm'n v. Johnson [43,446] 281
Public Housing/Leases/Appliance Restrictions
Taylor v. Marshall Plaza II [44,277] 1432
Public Housing/Local Housing Authorities
Lewiston Hous. Auth. v. Voss [43,646] 517
Residents Council of Allen Parkway Village v. HUD [44,276] 1431
Seales v. Drew [43,992] 1154
Skinner v. Boston Hous. Auth. [43,613] 515
Public Housing/Local Housing Authorities/Adequate Notice of Suit
Chicago Hous. Auth. v. Thompson [43,429] 279
Public Housing/Local Housing Authorities/Functions
Henry v. Housing Auth. of New Haven [42,760] 172
Smith v. Housing Auth. of Vancouver [43,581] 516
Public Housing/Loss of Units/Demolition
Tillman v. Housing Auth. of Pittsburgh [43,352] 173, 796
Tinsley v. Pierce [44,154] 1302
Public Housing/Management/Brooke Amendment
Castleman v. HUD [34,354] 797
Duncan v. Sabal Palms I Assoc. [44,209] 1302
Public Housing/Rent
Farlough v. Smallwood [39,424] 417
Public Housing/Rent/Assessment for Repairs
Duncan v. Sabal Palms I Assoc. [44,209] 1302
Public Housing/Rent/Code Violations
Housing Auth. of St. Louis County v. Boone 300, 802
Public Housing/Rent/Code Violations/Abatement
Concerned Tenants Ass'n of Father Panik Village v. Pierce [42,892] 515
Conille v. Secretary of HUD [42,789] 192
Public Housing/Rent/Computation
Head v. Jellico Hous. Auth. [42,444] 401
Housing Auth. of St. Louis County v. Boone [43,799] 300, 802
Johnson v. Crossville Hous. Auth. [44,274] 1430
Lorain Metro. Hous. Auth. v. Cajka [44,256] 1433
Public Housing/Rent/Excess of Allowable Ceiling
Hubbard v. Metropolitan Dev. & Hous. Agency [43,785] 800
Public Housing/Rent/Nonpayment
Head v. Jellico Hous. Auth. [42,444] 401
Henry v. Housing Auth. of New Haven [42,760] 172
Public Housing/Rent/Subsidies
Ware v. Housing Auth. of Berkeley [42,982] 1429
Public Housing/Rent/Utility Allowance Credit
Castleman v. HUD [34,354] 797
Tenants v. Chapel Hill Hous. Auth. [44,189] 1305
Public Housing/Repairs/Code Violations
Concerned Tenants Ass'n of Father Panik Village v. Pierce [42,892] 515
Public Housing/Repairs/Defects Hazardous to Life, Health, and Safety
Concerned Tenants Ass'n of Father Panik Village v. Pierce [42,892] 515
Conille v. Secretary of HUD [42,789] 192
Tinsley v. Pierce [44,154] 1302
Public Housing/Repairs/Maintenance Charges
Seales v. Drew [43,992] 1154

Public Housing/Security Deposits
National Corp. for Hous. v. Liberty State Bank 89
Public Housing/Site Selection
Davis v. City of Berkeley 1449
Public Housing/Utilities/Surcharge
Hubbard v. Metropolitan Dev. & Hous. Agency [43,785] 800
Scott v. Hamlet Hous. Auth. [43,152] 1154
Public Housing/Utilities/Utility Allowance/Adequacy
Castleman v. HUD [34,354] 797
DeAllaume v. Perales 1452
Junior v. Housing Auth. of New Orleans [39,421] 1302
Scott v. Hamlet Hous. Auth. [43,152] 1154
Tenants v. Chapel Hill Hous. Auth. [44,189] 1305
Ware v. Housing Auth. of Berkeley [42,982] 1429
Public Housing/Warranty of Habitability
Conille v. Secretary of HUD [42,789] 192
Redlining
Houston v. City of Cocoa [44,272] 1429
Old West End Ass'n v. Buckeye Fed. Sav. & Loan 89
Redlining/Home Improvement Loans
Perez v. Bank of the W. [44,263] 1423
Redlining/Location of Bank Offices
Perez v. Bank of the W. [44,263] 1423
Residential Hotels
Putnam County Dep't of Health v. Gillen [44,160] 1304
Section 8 Housing/Admissions/Procedural Protections/Informal Hearing on Rejection
Hutchinson v. Ratzlaff [43,825] 796
Section 8 Housing/Admissions/Selection Procedures
Drake v. Pierce [43,528] 401, 800, 1287
Section 8 Housing/Certification
Ketterman, *In re* [44,227] 1433
Section 8 Housing/Certification/Termination
Bonner v. Saint Paul Townhouse Village [43,445] 278, 670
Holly v. Housing Auth. of New Orleans [43,452] 278
Prince v. Tooele County Hous. Auth. [43,455] 281
Torvik v. Shepherd [43,734] 673
Section 8 Housing/Discrimination
Baker v. Pryde [42,787] 65
Ra v. Yarrowood Assocs., Ltd. [43,862] 800
Section 8 Housing/Evictions
Baker v. Pryde [42,787] 65
Williams v. Paradise Management [43,601] 517
Section 8 Housing/Evictions/Defenses
Boyd v. Eastgate Apartments [43,844] 802
Country View Apartments v. Moore [43,325] 66
East Lake Management & Dev. v. Irvin [43,473] 279
Emerson Hall Assoc. v. Thompson [43,286] 67
Hardesty v. Burnham [43,379] 173
Jack Moritz Co. Management v. Walker [44,273] 1432
Torvik v. Shepherd [43,734] 673
Section 8 Housing/Evictions/Due Process
Bonner v. Saint Paul Townhouse Village [43,445] 278, 670
Section 8 Housing/Evictions/Good Cause
Investors Diversified Property Management, Inc. v. Brown [44,058] 1154
Ra v. Yarrowood Assocs., Ltd. [43,862] 800
Section 8 Housing/Evictions/Notices
Boyd v. Eastgate Apartments [43,844] 802
Country View Apartments v. Moore [43,325] 66
Deflorio v. Crooks [43,696] 672
Emerson Hall Assoc. v. Thompson [43,286] 67
Pagliaro v. Pagliaro [43,834] 803
Ra v. Yarrowood Assocs., Ltd. [43,862] 800
RWB Newton Assoc. v. Gunn [43,458] 280
Torvik v. Shepherd [43,734] 673
Section 8 Housing/Leases
Blanks v. Gray [43,451] 280
Section 8 Housing/Leases/Landlord's Refusal to Renew
Camacho v. Pierce [44,078] 1152
Hardesty v. Burnham [43,379] 173
Prince v. Tooele County Hous. Auth. [43,455] 281
Section 8 Housing/Leases/Landlord's Refusal to Renew/Good Cause
RWB Newton Assoc. v. Gunn [43,458] 280
Section 8 Housing/Leases/Termination
Camacho v. Pierce [44,078] 1152
Cardaropoli v. Perez [43,798] 803
Ketterman, *In re* [44,227] 1433
Ra v. Yarrowood Assocs., Ltd. [43,862] 800
Section 8 Housing/Local Housing Authority
Drake v. Pierce [43,528] 401, 800, 1287
Prince v. Tooele County Hous. Auth. [43,455] 281
Section 8 Housing/Loss of Units/Landlord's Refusal to Renew Contract
Angry Tenants Against Conversion v. Woodland Manor Assoc. [43,873] 799
Baker v. Pryde [42,787] 65
Camacho v. Pierce [44,078] 1152
Trapp v. HUD [44,278] 1430
Section 8 Housing/Rent
Williams v. Paradise Management [43,601] 517
Section 8 Housing/Rent/Computation
Country View Apartments v. Moore [43,325] 66
Turner v. Perales [41,234] 1312
Ware v. Housing Auth. of Berkeley [42,982] 1429
Section 8 Housing/Rent/Increases
Cardaropoli v. Perez [43,798] 803
Pagliaro v. Pagliaro [43,834] 803
Section 8 Housing/Repairs
Bonner v. Saint Paul Townhouse Village [43,445] 278, 670
Section 8 Housing/Repairs/Code Violations
Duncan v. Sabal Palms I Assoc. [44,209] 1302

Section 8 Housing/Repairs/Substantial Rehabilitation
Smith v. Housing Auth. of Vancouver [43,581] 516
Section 8 Housing/Utilities
Holley v. Housing Auth. of City of Austin [43,198] 279
Turner v. Perales [41,234] 1312
Section 8 Housing/Utilities/Termination
Blanks v. Gray [43,451] 280

ILLEGITIMATE CHILDREN

See also DEPENDENT AND NEGLECTED CHILDREN, DOMESTIC RELATIONS
Adoptions
F. v. Felan [43,786] 784
Adoptions/Consent/Unwed Parents
A., Adoption of, *In re* [43,987] 1138
Child Support
Rawles v. Hartman 1190
Child Support/Parents' Liability
Clark v. Render 833
Child Support/Paternity
Clark v. Jeter 417
Clark v. Render 833
Landoll v. Dovell 692
Sampson County *ex rel.* McPherson v. Stevens 1191
Theus v. Theus [43,761] 785
Wigginton v. Kentucky *ex rel.* Caldwell 1446
Child Support/Uniform Reciprocal Enforcement of Support Act
Lara v. County of Yolo 1445
Father's Rights
Horbatenko v. Lepkyj [44,095] 1291
McGuire v. Farley 833
Foster Care
Garcia v. Marion County Dep't of Pub. Welfare [43,392] 176
Paternity
I. v. M. [43,621] 506
Florida Dep't of Health & Rehabilitative Servs. v. Williams 297
McGuire v. Farley 833
Paternity/Acknowledgment
F. v. Felan [43,786] 784
Luke v. Bowen [43,701] 680
Paternity/Action by Child
Clark v. Jeter 417
Maller v. Cohen [41,221] 1137
Puffpaff v. Hull 833
Simcox v. Simcox 1325
Theus v. Theus [43,761] 785
Paternity/Admission by Conduct
Luke v. Bowen [43,701] 680
Paternity/Blood Tests
Duerscherl v. Foley 297
Eagan v. Ayd 1325
Wachter v. Ascero 1447
Ware v. McKnight 86
Paternity/Blood Tests/County Expense
Deer v. Mississippi Dep't of Pub. Welfare 86
Paternity/Blood Tests/Father's Rights
Deer v. Mississippi Dep't of Pub. Welfare 86
M., John v. Paula T. 1191
Paternity/Evidence
Louisiana *ex rel.* Dep't of Health & Human Resources v. Normand 1446
Wachter v. Ascero 1447
Paternity/Hearings
Oregon v. Kitchens 1191
Paternity/Jurisdiction of Proceedings
Lara v. County of Yolo 1445
Paternity/Right to Counsel/Indigents
Maine *ex rel.* Bean v. Tarvers [43,952] 1138
Paternity/Standard of Proof
Ware v. McKnight 86
Paternity/Statute of Limitations
Bowser v. Zachary 833
Clark v. Jeter 417
Ellis v. Ellis 1190
Ingram, Marriage of, *In re* 1325
Maller v. Cohen [41,221] 1137
Presumption of Legitimacy
Ware v. McKnight 86
Presumption of Legitimacy/Mother Married at Child's Birth
M., John v. Paula T. 1191
Simcox v. Simcox 1325
Social Security/Survivors' Benefits
Brady v. Bowen [43,892] 777
Zachery v. Bowen [43,853] 820
Social Security/Survivors' Benefits/Acknowledgment of Child
Luke v. Bowen [43,701] 680
Social Security/Survivors' Benefits/State Intestate Succession Laws
Luke v. Bowen [43,701] 680
Visitation Rights
Lawrence v. Limoge 833
McGuire v. Farley 833

IMMIGRATION

See also ALIENS, MIGRANTS
Administration/Filing Fees
Ayuda, Inc. v. Attorney General 540
Aliens/Employment/Work Authorization
United Farm Workers of Am. v. INS [42,723] 67, 283, 804
Ascertainment of Status
Gallegos v. Haggerty [43,400] 175
Lopez Lopez v. Aran 417, 1329
Ramirez v. Webb [31,766] 89
Salinas-Pena v. INS [42,510] 68
Border Patrol Agents
Gallegos v. Haggerty [43,400] 175

Ysasi v. Rivkind [39,827] 804
Classification
Augoustinakis v. INS 837
Classification/Excludable Alien
Catholic Social Servs. v. Meese [42,712] 282, 403
Rafeedie v. INS 696
Classification/Special Preference Status/Adjudication of Petitions
Anetekhai v. INS 542
Deportation
Ayuda, Inc. v. Attorney General 540
Dor v. INS 1329
Deportation/Child
Flores v. Meese [39,665] 68, 674
United States v. Saucedo-Velasquez 300
Deportation/Conviction
Cabasug v. INS 540
United States v. Ghebreziabher 1450
Deportation/Drugs/Sales
Castro-O'Ryan v. INS 540
Deportation/Fraud and Misrepresentation
Escobar v. INS 1450
Kungys v. United States 300
Deportation/Nonresident Alien Spouse
Smith v. INS 542
Deportation/Permanent Residents
Rafeedie v. INS 696
Deportation/Political Asylum
Bernal-Garcia v. INS 696
Castro-O'Ryan v. INS 540
El-Youssef v. Meese 193
Orantes-Hernandez v. Meese [32,766] 282
Rodriguez v. INS 193
Vilorio-Lopez v. INS 696
Deportation/Right to Counsel
Castro-O'Ryan v. INS 540
United States v. Saucedo-Velasquez 300
Deportation/Suspension of Deportation
United States v. Ghebreziabher 1450
Detention
Dor v. INS 1329
El-Youssef v. Meese 193
Medina v. O'Neill 193
Detention/Children of Undocumented Parents
Flores v. Meese [39,665] 68, 674
Legalization
Ayuda, Inc. v. Meese 696
Catholic Social Servs. v. Meese [42,712] 282, 403
Haitian Refugee Center, Inc. v. Nelson 837
MacDonnell v. INS 837
Zambrano v. INS [43,351] 174, 517
Legalization/Seasonal Agricultural Workers
Haitian Refugee Center, Inc. v. Nelson 837
Lopez v. Ezell [44,067] 1156
Morales v. Lyng [43,893] 805, 1156
Northwest Forest Workers Ass'n v. Lyng [42,653] 178, 520, 1434
United Farm Workers of Am. v. INS [42,723] 67, 283, 804
Vargas v. Meese 301
Naturalization
Agcaoili v. Gustafson 300
INS v. Pangilinan 417
Kungys v. United States 300
Permanent Residence Visas
Chabbani, *In re* [43,669] 689
Younghee Na Huck v. Attorney Gen. 90
Proof of Financial Responsibility
Zambrano v. INS [43,351] 174, 517
Refugees
Guo-Jun Cheng v. Ilchert 1329
Refugees/Cash Assistance
Blanco v. Contra Costa County [43,618] 531, 1181
Refugees/Cash Assistance/Termination
Yang v. Bowen [43,694] 681
Refugees/Cash Assistance/Termination/Due Process
Cha Lor v. Bowen [44,032] 1179
Refugees/Detention
Orantes-Hernandez v. Meese [32,766] 282
Representation
Ayuda, Inc. v. Meese 696
Visas
Kungys v. United States 300
Voluntary Departure
Orantes-Hernandez v. Meese [32,766] 282
Voluntary Departure/Extension of Date
Ajurulloski v. INS 696
Voluntary Departure/Judicial Review
Contreras-Aragon v. INS 696

INCOME TAX

See TAXES

IN FORMA PAUPERIS

Appeals
Melder v. Carreiro [43,482] 391
Court Costs/Filing Fees/Civil Actions
Melder v. Carreiro [43,482] 391
Court Costs/Waiver
Melder v. Carreiro [43,482] 391
Eligibility
Holmes v. Hardy 698

INDIANS

See NATIVE AMERICANS

INSURANCE

Automobile
Ornelas v. Safeway Ins. [43,791] 779
Beneficiary Clause
Smith v. Jones 1192

Credit Life and Disability
Reliable Stores v. York [43,552] 393
Health
Covenant Medical Center v. Youngblut [43,982] 1151
Stat Ambulance Serv. v. Starr [44,206] 1300

JAILS

See PRISONS

JUDGES

Disqualification
Acker, *In re* 1189
Plunkett v. Plunkett 1191
Selection
Williams v. Illinois State Bd. of Elections 1188, 1189, 1192

JURIES

Mistrial
Masciulli v. Martin [43,472] 269

JUVENILE COURTS

Commitment/Dependent and Neglected Children
T. v. Patterson [43,366] 176, 1158
Jurisdiction/Trial as Adult/Hearings/Due Process
M., J. v. Alabama 90
Right to Counsel
K., R., *In re* 1451

JUVENILE INSTITUTIONS

Confinement/Conditions
Doe v. Norris [41,788] 283
Florida Dep't of Health & Rehabilitative Servs. v. Whaley 1451
Medical Care/Right to Treatment
Florida Dep't of Health & Rehabilitative Servs. v. Whaley 1451
Placement/Least Restrictive Alternative
Doe v. Norris [41,788] 283
Placement/Secure Facility
Florida Dep't of Health & Rehabilitative Servs. v. Whaley 1451

JUVENILES

See also ADOPTION, DEPENDENT AND NEGLECTED CHILDREN, ILLEGITIMATE CHILDREN
Body Searches
Flores v. Meese [39,665] 68, 674
Confinement
Doe v. Norris [41,788] 283
Illinois v. R.C. 1330
Family Counseling Programs
J. v. Chaffee [43,690] 675
Family Planning Services
Bowen v. Kendrick 413
Incorrigibility/Care and Treatment
Torres v. Florida Dep't of Health & Rehabilitative Servs. 90
Interstate Compact on Placement of Children
Waters v. Cabinet for Human Resources 90
Parental Rights and Obligations
Doe v. Hennepin County 1196
T., C., *In re* 542
Utah v. Yates [43,836] 806
Treatment
Illinois v. R.C. 1330

LANDLORD-TENANT

See HOUSING

LANGUAGE DISCRIMINATION

Sanchez v. Century One Builders & Inv. [43,829] 781
Administrative Hearings
Lopez, *In re* [43,887] 821
Hearings/Right to Interpreter
Roumel v. Diaz [43,619] 504
Notices
Siemion v. Illinois Dep't of Pub. Aid [43,291] 64

LEGAL SERVICES

See also ATTORNEY FEES, ATTORNEYS

Board of Directors
Crane v. United States [42,800] 503, 1420

Clients/Eligibility
Athey v. Haines [44,077] 1130

Delivery of Services
Heilig-Meyers Furniture, *In re* [43,479] 265

Delivery of Services/Private Bar
Lawline v. American Bar Ass'n [43,777] 775

Delivery of Services/Statewide Programs
Dallas County Community Action Comm., *Ex parte* [44,203] 1292

Fee-Generating Cases
Athey v. Haines [44,077] 1130

Fund Balance
National Clearinghouse for Legal Servs. v. Legal Servs. Corp. [41,000] 656, 774

Judicial Review of Legal Services Corporation Decisions
Crane v. United States [42,800] 503, 1420
National Clearinghouse for Legal Servs. v. Legal Servs. Corp. [41,000] 656, 774

Political Restrictions
Crane v. United States [42,800] 503, 1420

Refunding
National Clearinghouse for Legal Servs. v. Legal Servs. Corp. [41,000] 656, 774

Regulations
LSC Opinion Re Abortion Litigation, *In re* [43,891] 1130

Standing to Sue
Crane v. United States [42,800] 503, 1420

LIENS

Dixon v. Johnson 1188

Welfare
Flowers v. Perales [44,122] 1180

LOW-INCOME ENERGY ASSISTANCE PROGRAM

See ENERGY

MEDICAID

Administration
Maine Ass'n of Interdependent Neighborhoods v. Commissioner Me. Dep't of Human Serv. [43,647] 514, 1324

Administration/Judicial Review
Olson v. Bowen [43,851] 793
Waugh v. Department of Health & Mental Hygiene [43,837] 794

Administration/Policymaking Decisions
Allen v. Mansour [41,822] 299
Meyer v. Colorado Dep't of Social Servs. 836
Willey v. Ives [39,830] 1147

Administration/State Programs
Brown v. Word [43,349] 169, 793
Burket v. Barry [43,712] 666
Malone v. Barry [43,307] 62, 513
Pottgieser v. Kizer [42,597] 1426

Administration/State Programs/Notice of Action Taken
Frank v. Kizer [44,157] 1299

Alcoholism
Henderson v. North Carolina Dep't of Human Resources 1200

Applications/Procedures
Cook v. Barry [44,249] 1427
Gandenberg v. Barry [43,277] 62, 398

Available Income
Martinez v. Idaho Dep't of Health & Welfare [43,638] 514
Proffit v. Sorrell 836

Available Income/Community Property
California Dep't of Health Servs. v. Secretary of HHS [43,284] 61
Reese v. Kizer [38,528] 778

Available Income/Computation
Stockton v. Indiana Dep't of Pub. Welfare [42,714] 169
Washington State Plan Amendment No. 86-8, *In re* [43,531] 400

Available Income/Cost-of-Living Increases
Hughes v. Horsley [43,869] 791, 1286

Available Income/Deeming
Davis v. Hunt 696
Georgia Dep't of Medical Assistance v. Bowen 416
Malloy v. Eichler [40,089] 511, 1194
Mitchell v. Lipscomb [42,796] 511
Stead v. Ellenbecker [44,199] 1298

Available Income/Deeming/Noninstitutionalized Spouse
Clark v. Commissioner of Income Maintenance 1449
Ohio Dep't of Human Servs. v. HHS [41,464] 1146

Available Income/Excess Income
Bishop v. Mongan [43,967] 1147
Hughes v. Horsley [43,869] 791, 1286

Available Income/Income Disregards
Clark v. Commissioner of Income Maintenance 1449

Available Income/Medical Care Costs
Gandenberg v. Barry [43,277] 62, 398

Available Income/Physically Separated Spouse
Napier, *In re* [43,827] 795

Available Income/Social Security Benefits
Brinkman v. Rahm [41,131] 1310

Available Income/Spend Down/Excess Resources
Darling v. Bowen [42,592] 275, 540
Kane v. Indiana Dep't of Pub. Welfare [44,181] 1300
N., *In re* [44,192] 1301

Stockton v. Indiana Dep't of Pub. Welfare [42,714] 169

Available Income/Spend Down/Method of Determining

Bishop v. Mongan [43,967] 1147
Washington State Plan Amendment No. 86-8, *In re* [43,531] 400

Available Income/Transfer of Assets

Devadutt v. Perales [43,276] 61

Available Income/Transfer of Assets/Presumptions

Alabama v. Day 1449

Cutbacks/Notice

Linton v. Commissioner of Health & Env't [42,967] 62, 1149

Delays

Brown v. Word [43,349] 169, 793

Dental Services/Medically Necessary/Orthodontial

Brown v. Kizer [43,729] 668

Drugs/Reimbursement

Miller v. Babcock [43,318] 64

Eligibility

Armstrong v. Norman [42,033] 512
Clarkson v. Atkins [44,271] 1428
Connecticut v. Goggin 836
Darling v. Bowen [42,592] 275, 540
Gandenberg v. Barry [43,277] 62, 398
Georgia Dep't of Medical Assistance v. Bowen 416
Kennedy v. Maine [32,203] 514
Maine Ass'n of Interdependent Neighborhoods v. Commissioner Me. Dep't of Human Serv. [43,647] 514, 1324
Malloy v. Eichler [40,089] 511, 1194
Martinez v. Idaho Dep't of Health & Welfare [43,638] 514
Proffit v. Sorrell 836
Ruiz v. Kizer [43,863] 792, 1297
Walker v. Department of Health & Rehabilitative Servs. 1449
Young v. Rubin [43,879] 825

Eligibility/Timely Determination

Brown v. Word [43,349] 169, 793

Federal Regulations

Clark v. Kizer [43,105] 268

Financial Eligibility

Kane v. Indiana Dep't of Pub. Welfare [44,181] 1300
Napier, *In re* [43,827] 795

Financial Eligibility/Transfer of Assets

Willey v. Ives [39,830] 1147

Hearings/Aggrieved Person

Ingles v. Indiana Dep't of Pub. Welfare [44,212] 1299
Nickerson v. Indiana Bd. of Pub. Welfare [44,213] 1299

Hearings/Deceased Applicant or Beneficiary

Ingles v. Indiana Dep't of Pub. Welfare [44,212] 1299
Nickerson v. Indiana Bd. of Pub. Welfare [44,213] 1299

Hearings/Medical Testimony

Meyer v. Colorado Dep't of Social Servs. 836
Olson v. Bowen [43,851] 793

Hearings/Notice and Hearing Requirements

Cook v. Barry [44,249] 1427
Miller v. Lipscomb [44,184] 1315

Hearings/Notice of Suspension/Timely Appeal

Frank v. Kizer [44,157] 1299

Hospitals

Orangeburg-Calhoun Regional Hosp., *In re* [43,854] 795

Hospitals/Inpatient Benefit Limitations

D. v. Duffy [44,146] 1161
Ellis v. Patterson [43,810] 791

Hospitals/Reimbursement/Collection Action Against Recipient

Mount Sinai Hosp. v. Rosado [43,577] 515

Limitations on Service

A. v. California Dep't of Health Servs. [44,161] 1301
Allen v. Mansour [41,822] 299
Beckwith v. Kizer [43,794] 792

Maternity Care

Mary Washington Hosp., *In re* [43,381] 172

Medically Necessary Procedure

A. v. California Dep't of Health Servs. [44,161] 1301
Todd v. Sorrell [42,151] 274

Nursing Homes/Additional Payments

Good Neighbor Care Centers, Inc. v. Minnesota Dep't of Human Servs. 1195

Nursing Homes/Certification

Linton v. Commissioner of Health & Env't [42,967] 62, 1149

Nursing Homes/Discharge

Catir v. Commissioner of Dep't of Human Servs. [41,453] 399

Nursing Homes/Eligibility

X. v. Commissioner of Health & Env't of Tenn. [43,711] 667

Nursing Homes/Federal Financial Assistance/Eligibility

Gandenberg v. Barry [43,277] 62, 398

Nursing Homes/Patients' Rights

Burket v. Barry [43,712] 666
Catir v. Commissioner of Dep't of Human Servs. [41,453] 399
Cook v. Barry [44,249] 1427
Linton v. Commissioner of Health & Env't [42,967] 62, 1149

Nursing Homes/Policies and Regulations

Good Neighbor Care Centers, Inc. v. Minnesota Dep't of Human Servs. 1195
Linton v. Commissioner of Health & Env't [42,967] 62, 1149

Nursing Homes/Racial Discrimination

Linton v. Commissioner of Health & Env't [42,967] 62, 1149

Nursing Homes/Relative Responsibility
Fredericks v. Durham [41,401] 794
Nursing Homes/State Regulation
X. v. Commissioner of Health & Env't of Tenn. [43,711] 667
Nursing Homes/Termination
Meyer v. Colorado Dep't of Social Servs. 836
Schaffer v. Colorado Dep't of Social Servs. 836
Nursing Homes/Transfers
Pleasant v. Heritage Convalescent Center of Paradise [44,259] 1427
Nursing Homes/Transfers/Due Process
Burket v. Barry [43,712] 666
Nursing Homes/Transfers/Due Process/Level-of-Care Changes
Burket v. Barry [43,712] 666
Optical Services/Eligibility
A. v. California Dep't of Health Servs. [44,161] 1301
Organ Transplants
Ellis v. Patterson [43,810] 791
Todd v. Sorrell [42,151] 274
Prior Authorization
A. v. California Dep't of Health Servs. [44,161] 1301
Private Duty Nursing Care
Beckwith v. Kizer [43,794] 792
Prompt Processing
Brown v. Word [43,349] 169, 793
Prosthetics
Request for Regulatory Determination Re Prosthetic Devices, *In re* [44,139] 1151
Reduction/Notice and Hearing Requirements
Frank v. Kizer [44,157] 1299
Linton v. Commissioner of Health & Env't [42,967] 62, 1149
Luebbers v. Ibarra [43,826] 792
Reimbursement
Bowen v. Massachusetts [43,488] 390
Luebbers v. Ibarra [43,826] 792
Reimbursement/Out-of-Pocket Expenses/Corrective Payments to Recipients
Orangeburg-Calhoun Regional Hosp., *In re* [43,854] 795
Relative Responsibility
Fredericks v. Durham [41,401] 794
Residency Requirements/Migrants
Flores v. Concannon [44,141] 1148
Skilled Nursing Care/Eligibility
Olson v. Bowen [43,851] 793
SSI Recipients/Eligibility
Clarkson v. Atkins [44,271] 1428
Daniels v. Tennessee Dep't of Health & Env't [38,991] 62
Darling v. Bowen [42,592] 275, 540
SSI Recipients/Eligibility/Retroactive Benefits
Lane v. Commissioner of Maine Dep't of Human Servs. [43,154] 513
State Eligibility Requirements
California Dep't of Health Servs. v. Secretary of HHS [43,284] 61
Clarkson v. Atkins [44,271] 1428
Gandenberg v. Barry [43,277] 62, 398
Stead v. Ellenbecker [44,199] 1298
Termination
Kennedy v. Maine [32,203] 514
Malloy v. Eichler [40,089] 511, 1194
Meyer v. Colorado Dep't of Social Servs. 836
Schaffer v. Colorado Dep't of Social Servs. 836
Termination/Hearings
Clarkson v. Atkins [44,271] 1428
Termination/Notice
Daniels v. Tennessee Dep't of Health & Env't [38,991] 62
Frank v. Kizer [44,157] 1299
N., *In re* [44,192] 1301
Transfer of Assets
Alabama v. Day 1449
Connecticut v. Goggin 836
Willey v. Ives [39,830] 1147
Transportation and Lodging Expenses
Luebbers v. Ibarra [43,826] 792
Malone v. Barry [43,307] 62, 513

MEDICAL ASSISTANCE PROGRAMS

Dixon v. Johnson 1188
Pickerell v. Stanislaus County Bd. of Supervisors [43,360] 171
Access to Medical Services
DuQuoin v. Lander Valley Regional Medical Center [43,468] 277
Etter v. Board of Supervisors of County of Los Angeles [43,346] 276
Santa Barbara Commercial Serv. Bureau v. Doe [44,140] 1150
Administration
McKinzie v. Board of Supervisors of County of Placer [43,576] 513, 1149
Administration/Due Process
Green v. Illinois Dep't of Pub. Aid 416
Aid to Medically Needy
Denton v. Perales [42,756] 276, 1149
Saxton v. Gem County [43,317] 63
Washington State Plan Amendment No. 86-8, *In re* [43,531] 400
Aid to Medically Needy/Eligibility
Armstrong v. Norman [42,033] 512
Zeigler v. Kirschner [43,398] 171
Applications/Denials
Johnson v. Morris 696
Puig v. Kirschner [43,391] 170
Welfare Rights Org. v. Martin [43,471] 277
Applications/Procedures
Etter v. Board of Supervisors of County of Los Angeles [43,346] 276
Puig v. Kirschner [43,391] 170

Siemion v. Illinois Dep't of Pub. Aid [43,291] 64
Available Income/Computation
Ohio Dep't of Human Servs. v. HHS [41,464] 1146
Available Income/Excess Resources
Johnson v. Morris 696
N., *In re* [44,192] 1301
Wiser v. Division of Family Servs. 1195
Available Income/Transfer of Assets
Devadutt v. Perales [43,276] 61
Willey v. Ives [39,830] 1147
Cutbacks
Sanchez v. Board of Supervisors of Los Angeles County [43,332] 63
Cutbacks/Hearings
McKinzie v. Board of Supervisors of County of Placer [43,576] 513, 1149
Cutbacks/Notice
McKinzie v. Board of Supervisors of County of Placer [43,576] 513, 1149
Denial of Benefits
Santa Barbara Commercial Serv. Bureau v. Doe [44,140] 1150
Welfare Rights Org. v. Martin [43,471] 277
Dental Services
Noble v. Placer County Bd. of Supervisors [43,292] 171
Pickerell v. Stanislaus County Bd. of Supervisors [43,360] 171
Sanchez v. Board of Supervisors of Los Angeles County [43,332] 63
Eligibility
Denton v. Perales [42,756] 276, 1149
Green v. Illinois Dep't of Pub. Aid 416
Yanushko v. Pennsylvania Dep't of Pub. Welfare 702
Eligibility/Due Process/County Programs
Welfare Rights Org. v. Martin [43,471] 277
Eligibility/Time Limit Per Application
Brown v. Word [43,349] 169, 793
Hearings/Review of Hearing Decision
Zeigler v. Kirschner [43,398] 171
Home Health Care
Beckwith v. Kizer [43,794] 792
Medi-Cal
Brown v. Kizer [43,729] 668
Clark v. Kizer [43,105] 268
Pleasant v. Heritage Convalescent Center of Paradise [44,259] 1427
Pottgieser v. Kizer [42,597] 1426
Request for Regulatory Determination Re Prosthetic Devices, *In re* [44,139] 1151
Medi-Cal/Available Income
California Dep't of Health Servs. v. Secretary of HHS [43,284] 61
Reese v. Kizer [38,528] 778
Medi-Cal/Available Income/Spend Down
N., *In re* [44,192] 1301
Medi-Cal/Eligibility
A. v. California Dep't of Health Servs. [44,161] 1301
Ruiz v. Kizer [43,863] 792, 1297
Medi-Cal/Termination
Frank v. Kizer [44,157] 1299
Medi-Cal/Transportation
T., *In re* [43,676] 668
Mentally Ill Persons
McKinzie v. Board of Supervisors of County of Placer [43,576] 513, 1149
Spend Down
Green v. Illinois Dep't of Pub. Aid 416
Termination
Welfare Rights Org. v. Martin [43,471] 277

MEDICARE

Appeals
Isaacs v. Bowen [43,930] 416, 1297
Levy v. Bowen [43,624] 512
Stenger v. Bowen 836
Appeals/Procedures
Isaacs v. Bowen [43,930] 416, 1297
Sarrassat v. Bowen [43,444] 274
Certified Beds/Denial of Benefits for Lack of
Hurley v. Bowen 1194
Eligibility
I., A., *In re* [44,164] 1301
Plante v. Secretary of HHS [44,052] 1148
Extended Care Services
B., F., *In re* [43,728] 668
N., *In re* [43,450] 277
Extended Care Services/Skilled Nursing Care
Byrne, *In re* [43,330] 64
Fox v. Bowen [25,473] 92
HHS Regulations
Duggan v. Bowen [42,167] 836
Isaacs v. Bowen [43,930] 416, 1297
Hospital Services/Inpatient Hospital Care/Coverage Limitations
Hurley v. Bowen 1194
Melson v. Secretary of HHS [44,191] 1298
Judicial Review
Stenger v. Bowen 836
Nursing Homes/Coverage
Sarrassat v. Bowen [43,444] 274
Stenger v. Bowen 836
Part A of Medicare/Home Health Care Services
B., F., *In re* [43,728] 668
C., M., *In re* [43,545] 399
Duggan v. Bowen [42,167] 836
G., Winefred, *In re* [43,719] 669
I., A., *In re* [44,164] 1301
In-Home Health Servs., *In re* [43,334] 794
N., *In re* [43,450] 277
Plante v. Secretary of HHS [44,052] 1148
Part A of Medicare/Hospital Insurance Benefits
Cram, *In re* [43,597] 523
Part A of Medicare/Inpatient Hospital Care
Melson v. Secretary of HHS [44,191] 1298

Part A of Medicare/Post-Hospital Extended Services/Skilled Nursing Facility
Byrne, *In re* [43,330] 64
Cram, *In re* [43,597] 523
Fox v. Bowen [25,473] 92
Melson v. Secretary of HHS [44,191] 1298
Part B of Medicare/Appeals Process
Isaacs v. Bowen [43,930] 416, 1297
Part B of Medicare/Hearings/Due Process
Isaacs v. Bowen [43,930] 416, 1297
Part B of Medicare/Limitations on Coverage and Payment
Bertrand v. Bowen [43,526] 398
Pottgieser v. Kizer [42,597] 1426
Tascheck v. Bowen [43,527] 398
Part B of Medicare/Overpayments
Texas Medical Ass'n v. Bowen 192
Physical Therapy
Fox v. Bowen [25,473] 92
Recoupment
Texas Medical Ass'n v. Bowen 192
Reimbursement
Bertrand v. Bowen [43,526] 398
G., Winefred, *In re* [43,719] 669
N., *In re* [43,450] 277
Tascheck v. Bowen [43,527] 398

MENTAL HEALTH

Flagstaff Realty v. Ned [43,440] 285
Commitment Procedures/Civil Commitment
Cook v. Steed 837
Commitment Procedures/Civil Commitment/Constitutionality
H., Lynette, *In re* 1330
Reome v. Levine 837
Commitment Procedures/Civil Commitment/Due Process
Reome v. Levine 837
Commitment Procedures/Civil Commitment/Gravely Disabled Standards
North Bay Regional Center v. S. [44,174] 1296
Commitment Procedures/Civil Commitment/Indigent Respondent/Court-Appointed Counsel
S. v. Altman 418
Commitment Procedures/Civil Commitment/Right to Counsel
Clark v. Wingard [41,241] 1162
Clinton, *In re* 1196
Commitment Procedures/Civil Commitment/Short-Term Certification
Clinton, *In re* 1196
Commitment Procedures/Civil Commitment/Voluntary Commitment/Due Process
H., Lynette, *In re* 1330
Commitment Procedures/Criminal Commitment
Cook v. Steed 837
Commitment Procedures/Criminal Commitment/Insanity Acquittal
Utah v. Murphy 1196
Commitment Procedures/Habeas Corpus
Clark v. Wingard [41,241] 1162
Cook v. Steed 837
Reome v. Levine 837
Commitment Procedures/Illegal Commitment
Utah v. Murphy 1196
Commitment Procedures/Involuntary Commitment
Foe v. Cuomo 1451
G., K., *In re* 1451
Commitment Procedures/Involuntary Commitment/Alternative Treatment
Colorado v. Stevens 1196
Commitment Procedures/Involuntary Commitment/Burden of Proof
Sanborn, Allen, *In re* 837
Commitment Procedures/Involuntary Commitment/Certificates
Clinton, *In re* 1196
Commitment Procedures/Involuntary Commitment/Court Orders
J., R., *In re* 1451
Commitment Procedures/Involuntary Commitment/Dangerousness
G., K., *In re* 1451
J., R., *In re* 1451
Nebraska v. Adams 1190
North Bay Regional Center v. S. [44,174] 1296
Sanborn, Allen, *In re* 837
Utah v. Murphy 1196
Commitment Procedures/Involuntary Commitment/Dismissal of Petition
Sanborn, Allen, *In re* 837
Commitment Procedures/Involuntary Commitment/Due Process
Doe v. Austin [33,390] 542
Commitment Procedures/Involuntary Commitment/Right to Refuse Treatment
Illinois v. Orr [44,135] 1163
Commitment Procedures/Juveniles
Illinois v. R.C. 1330
Deinstitutionalization
Roe v. Richter [43,750] 676
Drugs
W. v. Cabinet for Human Resources [43,704] 665
Drugs/Forced Medication
Ihler v. South [43,453] 285
Illinois v. Orr [44,135] 1163
Harper v. Washington [43,636] 521
Williams v. Wilzack [43,478] 285

Drugs/Institution's Use in Nonemergencies
Williams v. Wilzack [43,478] 285
Drugs/Involuntary Administration
Jarvis, *In re* [42,635] 71, 1451
Williams v. Wilzack [43,478] 285
Electroshock Treatments
M., M.K., *In re* 1451
Guardianship
Posey, Guardianship of, *In re* 1444
Werner v. Wright 90
Habilitation
Police & Fire Ass'n for Handicapped Children v. City of Philadelphia 1449
Least Restrictive Alternative
Colorado v. Stevens 1196
Utah v. Murphy 1196
Least Restrictive Alternative/Deinstitutionalization/Aftercare Services
Roe v. Richter [43,750] 676
Mental Institutions/Abuse of Patients
Ihler v. South [43,453] 285
Mental Institutions/Administrator's Liability
McCartney v. Barg [33,767] 808
Mental Institutions/Costs
Woodall v. Bartolino [40,186] 1451
Mental Institutions/Habilitation
S. v. Flaherty [44,062] 1161
Mental Institutions/Inmates' Physical Safety
Ihler v. South [43,453] 285
Mental Institutions/Involuntary Patients
G., K., *In re* 1451
Illinois v. R.C. 1330
Mental Institutions/Living Conditions
Foe v. Cuomo 1451
Ihler v. South [43,453] 285
United States v. Oregon 189
Mental Institutions/Living Conditions/Consent Decrees
A. v. Robinson [41,053] 807
Mental Institutions/Medical Care
Foe v. Cuomo 1451
Mental Institutions/Placement
S. v. Altman 418
Mental Institutions/Standard of Care
Foe v. Cuomo 1451
S. v. Flaherty [44,062] 1161
Patients' Rights
A. v. Robinson [41,053] 807
Board of Supervisors of Los Angeles v. Superior Court [43,752] 675, 1163, 1436
Knight v. Mills 90
S. v. Flaherty [44,062] 1161
Patients' Rights/Right to Refuse Medication
Illinois v. Orr [44,135] 1163
Jarvis, *In re* [42,635] 71, 1451
Williams v. Wilzack [43,478] 285
Records/Access
Z., *In re* [44,136] 1158
Sheltered Workshop Jobs
Fogarty v. Secretary of HHS 842
Social Security Benefits Spent by Institution
Brinkman v. Rahm [41,131] 1310
Social Security Benefits Spent by Institution
Woodall v. Bartolino [40,186] 1451
Transfers
Dempsey v. Senior Servs. Div. (*In re* Dempsey) 835
Treatment/Administrator's Liability
Knight v. Mills 90
McCartney v. Barg [33,767] 808
Treatment/Costs
Brinkman v. Rahm [41,131] 1310
Treatment/Costs/Liability
Pennsylvania Dep't of Pub. Welfare v. Alessi 832
Treatment/Costs/Liability/County
Board of Supervisors of Los Angeles v. Superior Court [43,752] 675, 1163, 1436
Treatment/Costs/Liability/State Reimbursement
Board of Supervisors of Los Angeles v. Superior Court [43,752] 675, 1163, 1436
Treatment/Juveniles
D. v. Duffy [44,146] 1161
Treatment/Right to Refuse Treatment
Illinois v. Orr [44,135] 1163
Jarvis, *In re* [42,635] 71, 1451
M., M.K., *In re* 1451
Treatment/Right to Treatment
D. v. Duffy [44,146] 1161
Goebel v. Colorado Dep't of Inst. [39,426] 1162
McCartney v. Barg [33,767] 808

MIGRANTS

See also ALIENS
Gallegos v. Haggerty [43,400] 175
Education/Discrimination
Garza v. Mabton School Dist. [43,433] 286
Employment
Fernandez v. Brock [39,922] 194
S.G. Borello & Sons v. California Dep't of Indus. Relations [43,751] 677
Employment/Conditions/Negligent Misrepresentation
Buenrostro v. Washington State Apple Advertising Comm'n [43,373] 179
Mackey v. Bland [43,702] 676
Employment/Fair Labor Standards Act
Ochoa v. Weisensee Ranch [44,055] 1164
Secretary of Labor v. Lauritzen 91
Employment/Fair Labor Standards Act/Minimum Wages
Calderon v. Witvoet [44,169] 1306
Osias v. Marc [43,818] 808
Villareal v. Dopp [44,153] 1306

Employment/Fair Labor Standards Act/Violations
Avalos v. La Conca D'Oro, Inc. [43,371] 178
Mackey v. Bland [43,702] 676
Mendoza-Serrano v. Boardman Farms [43,706] 677
Osias v. Marc [43,818] 808
Villareal v. Dopp [44,153] 1306
Employment/Fair Labor Standards Act/Wage Deductions
Calderon v. Witvoet [44,169] 1306
Employment/Hiring Practices/Interstate Clearance System
Riesco-Fernandez v. Stringer [43,674] 677
Employment/Illegal Aliens
AFL-CIO v. McLaughlin [44,217] 1305
Northwest Forest Workers Ass'n v. Lyng [42,653] 178, 520, 1434
Employment/Pesticides
Hernandez v. Clarkfield Fertilizer [43,767] 809
Employment/Wages
Alex v. Jasper Wyman & Son 302
Calderon v. Witvoet [44,169] 1306
Osias v. Marc [43,818] 808
Employment/Wages/Adverse Wage Rate
AFL-CIO v. McLaughlin [44,217] 1305
Employment/Wages/Deductions
Fields v. Luther [43,434] 286, 503
Jones v. Tri-County Growers [43,278] 73, 405
Employment/Wages/Income Tax Withholding
Fields v. Luther [43,434] 286, 503
Employment/Wages/Unpaid Wages
Avalos v. La Conca D'Oro, Inc. [43,371] 178
Ochoa v. Weisensee Ranch [44,055] 1164
Urrutia v. United States [43,776] 809
Villareal v. Dopp [44,153] 1306
Farm Labor Contractor Registration Act
Fields v. Luther [43,434] 286, 503
Urrutia v. United States [43,776] 809
Growers/Damages/Torts
Hernandez v. Clarkfield Fertilizer [43,767] 809
Mackey v. Bland [43,702] 676
Housing
Howard v. Malcolm [40,787] 697
Phillips v. McLaughlin 836
Housing/Bilingual Notices
El Concilio De Los Trabajadores De La Industria De Los Longos v. Pennsylvania Dep't of Envtl. Resources [43,824] 810
Housing/Substandard Housing
Calderon v. Witvoet [44,169] 1306
El Concilio De Los Trabajadores De La Industria De Los Longos v. Pennsylvania Dep't of Envtl. Resources [43,824] 810
Labor Camps/Access
Martinez v. Tanersley [32,141] 809
Labor Camps/Conditions
El Concilio De Los Trabajadores De La Industria De Los Longos v. Pennsylvania Dep't of Envtl. Resources [43,824] 810
Labor Camps/Records
Osias v. Marc [43,818] 808
Labor Camps/Records/Access
Peters v. United States [43,691] 673
Labor Disputes
Howard Gault Co. v. Texas Rural Legal Aid [43,623] 520
Mendoza-Serrano v. Boardman Farms [43,706] 677
Mendoza-Serrano v. Boardman Farms [43,707] 677
Migrant and Seasonal Agricultural Worker Protection Act
Alex v. Jasper Wyman & Son 302
Bracamontes v. Weyerhaeuser Co. 193
Bresgal v. Brock [41,205] 302
Migrant and Seasonal Agricultural Worker Protection Act/Exemptions
Avalos v. La Conca D'Oro, Inc. [43,371] 178
Migrant and Seasonal Agricultural Worker Protection Act/Registration and Disclosure
Rendon v. Lyng [43,327] 72
Migrant and Seasonal Agricultural Workers Protection Act/Violations
Buenrostro v. Washington State Apple Advertising Comm'n [43,373] 179
Calderon v. Witvoet [44,169] 1306
Fields v. Luther [43,434] 286, 503
Howard v. Malcolm [40,787] 697
Mendoza-Serrano v. Boardman Farms [43,706] 677
Osias v. Marc [43,818] 808
Riesco-Fernandez v. Stringer [43,674] 677
Villareal v. Dopp [44,153] 1306
Migrant and Seasonal Agricultural Worker Protection Act/Violations/Failure to Check Contractor's Certificate
Mackey v. Bland [43,702] 676
Migrant and Seasonal Agricultural Worker Protection Act/Violations/Unlawful Deductions From Wages
Mackey v. Bland [43,702] 676
Occupational Safety/Pesticide Violation
Hernandez v. Clarkfield Fertilizer [43,767] 809
State Law Contract Claims
Urrutia v. United States [43,776] 809
Unemployment Compensation
Knouse Foods Coop., Inc. v. Pennsylvania Unemployment Compensation Bd. of Review 302
Wagner-Peyser Act/Compliance
Riesco-Fernandez v. Stringer [43,674] 677

MILITARY

Lemmon v. Santa Cruz County 702
Plowman v. United States Dep't of Army 1328
Discharge Proceedings
Bernstein v. United States 1333
Discharge Proceedings/Upgrading
Gay Veterans Ass'n v. Secretary of Defense [43,635] 528

Discharge Proceedings/Upgrading/Drugs
Vietnam Veterans v. Secretary of the Navy 304
Soldier's and Sailor's Civil Relief Act/Stay of Civil Proceedings
Pratt v. Pratt [43,396] 271
Veterans' Benefits
Hoerner v. VA 94
Younger v. Turnage 94
Veterans' Benefits/Disability
Ruffin v. Ruffin 843
Tietjen v. United States Veteran's Admin. 843
Veterans' Benefits/Divorced Spouse
Bujarski v. Bujarski 1190
Lewis v. Lewis 1189
Ruffin v. Ruffin 843
Walker v. Walker 693
Veterans' Benefits/Due Process
Tietjen v. United States Veteran's Admin. 843
Veterans' Benefits/Education
Traynor v. Turnage [41,207] 198
Veterans' Benefits/Eligibility
Traynor v. Turnage [41,207] 198
Veterans' Benefits/Judicial Review
Marozsan v. United States [43,604] 528
Tietjen v. United States Veteran's Admin. 843
Veterans' Benefits/Mortgages
First Family Mortgage Corp. of Fla. v. Earnest 696
Jones v. Turnage 1333
United States v. Vonderau 198
Whitehead v. Turnage [43,805] 801
Veterans' Benefits/Recoupment
United States v. Payne 94
Veterans' Benefits/Retirement
Miller v. Aldridge 1454
VA's Gen. Counsel's Opinion re Treatment of Tribal Per Capita Payments for Improved Pension Purposes, *In re* [43,331] 73
Veterans' Benefits/Spouse Payee
Miller v. Aldridge 1454

MOBILE HOMES

See HOUSING

New Directory of the National Support Centers

At the end of January, the Clearinghouse mailed a copy of the revised *Directory of the National Support Centers* to each *Clearinghouse Review* subscriber. The *Directory* describes current services of the 16 national support centers funded by the Legal Services Corporation. This new edition replaces the old directories in use since 1985. Please direct the attention of new staff to this information.

Limited additional copies are available. Single copy requests are free and Clearinghouse will consider multiple copy requests for distribution to local boards of directors and private bar attorneys working in conjunction with legal services. Please direct inquiries and requests to

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MUNICIPAL-GOVERNMENT SERVICES

See also PUBLIC UTILITIES

City Ordinances
Atchinson v. Barry [44,155] 1303
Guyton v. City of Alameda [44,257] 1443
New Jersey v. Squires [42,873] 672
Popular Inv. Co. v. Mayor & City Council of Baltimore [42,964] 70

NATIVE AMERICANS

Aboriginal Title
United States v. Kent 194

Alaska Native Claims Settlement Act
Donnelly v. United States 697

Bureau of Indian Affairs/Administration/Management of Funds
Poorman v. Bowen [43,326] 73, 542

Bureau of Indian Affairs/Employment Policies/Preference to Indians
Mullenberg v. HHS 1197

Claims Against U.S.
Sisseton-Wahpeton Sioux Tribe v. United States 697

Claims Against U.S./Compensation for Taking
Hopland Band of Pomo Indians v. United States 1197
Littlewolf v. Hodel 302

Claims Against U.S./Constitution
Lyng v. Northwest Indian Cemetery Protective Ass'n 194

Claims Against U.S./Executive Orders
James v. Hodel 1330

Claims Against U.S./Survey Errors
Napeahi v. Paty [43,775] 810

Claims Against U.S./Treaties
Sioux Tribe v. United States 1330

Claims Against U.S./Tribal Rights
Inter-Tribal Council of Nev., Inc. v. Hodel 838

Consent to Application of State Laws
John v. City of Salamanca 418

Criminal Law and Procedure
South Dakota v. Onihan [44,129] 1166
St. Cloud v. United States [44,082] 1164
United States v. Laughing 838

Criminal Law and Procedure/Arrests on Reservations/Jurisdiction
Negonsott v. Samuels 1197

Criminal Law and Procedure/Tribal Judge
Randall v. Yakima Nation Tribal Court 194

Customs, Tradition, and Culture
Smith v. Employment Div. [43,961] 1165
Ulaleo v. Paty [43,773] 811

Customs, Tradition, and Culture/Religion
Employment Div., Or. Dep't of Human Resources v. Smith 197
Warner v. Graham 87

Customs, Tradition, and Culture/Religion/American Indian Religious Freedom Act
Lyng v. Northwest Indian Cemetery Protective Ass'n 194

Domestic Relations
South Dakota *ex rel.* Joseph v. Redwing 1197

Domestic Relations/Adoption
Begay v. Rael 1452
Child of Indian Heritage, Adoption of, *In re* 698
M., T.R., Adoption of, *In re* 542
Native Village of Venetie v. Alaska 697

Domestic Relations/Custody
L., N., *In re* 543

Domestic Relations/Custody/Indian Child Welfare Act
Burgess v. Linscott [43,898] 1166
DeFender v. Zephier [44,120] 1165
M., T.R., Adoption of, *In re* 542
Native Village of Venetie v. Alaska 697

Domestic Relations/Custody/Indian Child Welfare Act/Termination of Parental Rights
Begay v. Rael 1452
Child of Indian Heritage, Adoption of, *In re* 698

Domestic Relations/Divorce/Jurisdiction
Sanders v. Robinson 1451

Domestic Relations/Divorce/Jurisdiction/State
Byzewski v. Byzewski [44,119] 1164

Domestic Relations/Divorce/Property Rights
Ducheneaux v. Secretary of the Interior 194

Education/Federal Authority
Inter-Tribal Council of Nev., Inc. v. Hodel 838

Employment/Preferences
Mullenberg v. HHS 1197

Environment/Environmental Impact Statements
United States v. Oregon 1452

Federal Benefits/Eligibility
Bedoni v. Navajo-Hopi Indian Relocation Comm'n 838
Heart v. Ellenbecker 697

Federal Benefits/Eligibility/Indian Trust Land Income
Looney v. Bowen [44,231] 1436
Poorman v. Bowen [43,326] 73, 542

Housing
All Mission Indian Hous. Auth. v. Silvas 194

Housing/Relocation/Assistance Benefits/Displacement
Bedoni v. Navajo-Hopi Indian Relocation Comm'n 838

Hunting and Fishing Rights
Lac Courte Oreilles Band of Indians v. Wisconsin 542

Hunting and Fishing Rights/Treaties
Muckleshoot Indian Tribe v. Hall 1330
United States v. Oregon 1452
Indian Country
Narragansett Indian Tribe v. Ribo, Inc. 542
Shelter Am. v. Castillo [43,846] 811
Jurisdiction
Burgess v. Linscott [43,898] 1166
Morongo Band of Mission Indians v. California State Bd. of Equalization 542
Sanders v. Robinson 1451
Shelter Am. v. Castillo [43,846] 811
Jurisdiction/Civil Rights
Little Horn State Bank v. Crow Tribal Court 838
Jurisdiction/Commerce
United States v. Bay Mills Indian Community 838
Jurisdiction/Federal Jurisdiction
All Mission Indian Hous. Auth. v. Silvas 194
James v. Hodel 1330
Little Horn State Bank v. Crow Tribal Court 838
Negonsott v. Samuels 1197
St. Cloud v. United States [44,082] 1164
United States v. Laughing 838
Jurisdiction/Federal Question/Tribes
United States v. Bay Mills Indian Community 838
Jurisdiction/Habeas Corpus/Tribal
Randall v. Yakima Nation Tribal Court 194
Jurisdiction/State Jurisdiction
Negonsott v. Samuels 1197
South Dakota v. Onihan [44,129] 1166
South Dakota *ex rel.* Joseph v. Redwing 1197
Wisconsin v. Big John 1330
Reservations/Boundaries
Omaha Indian Tribe v. Jackson 837
Reservations/Jurisdiction
John v. City of Salamanca 418
Negonsott v. Samuels 1197
United States v. Bay Mills Indian Community 838
United States v. Laughing 838
Reservations/Leasing/Non-Indian Lessees/Tribal Jurisdiction
Pinoleville Indian Community v. Mendocino County 542
Reservations/Right of Way
Blackfeet Indian Tribe v. Montana Power Co. 194
Reservations/Title
Omaha Indian Tribe v. Jackson 837
Sovereignty/Immunity
Alaska v. Native Village of Venetie 838
Sovereignty/Tribal/Self-Government
Muscogee (Creek) Nation v. Hodel 697
Sovereignty/Tribal/Taxation
Alaska v. Native Village of Venetie 838
State Benefits/Eligibility/Indian Trust Land Income
Poorman v. Bowen [43,326] 73, 542
State Benefits/Entitlement
Poorman v. Bowen [43,326] 73, 542
Submerged Lands and Wetlands
Napeahi v. Paty [43,775] 810
Taxes/Federal
Anderson v. United States 418
Treaties
United States v. Oregon 1452
Tribal Government
Alaska v. Native Village of Venetie 838
Tribal Government/Courts/Custody
Byzewski v. Byzewski [44,119] 1164
DeFender v. Zephier [44,120] 1165
Tribal Government/Courts/Jurisdiction
Little Horn State Bank v. Crow Tribal Court 838
Muscogee (Creek) Nation v. Hodel 697
Native Village of Venetie v. Alaska 697
Sanders v. Robinson 1451
Shelter Am. v. Castillo [43,846] 811
Twin City Constr. Co. v. Turtle Mountain Band 1197
Tribal Government/Courts/Tribal Law
Amigo Chevrolet v. Lee [42,822] 811
Tribal Government/Law/Applicability to Nonmembers
Twin City Constr. Co. v. Turtle Mountain Band 1197
Tribal Membership
St. Cloud v. United States [44,082] 1164
Tribes/Recognition by U.S.
Hopland Band of Pomo Indians v. United States 1197
Maldonado v. Hodel 418
Trust Relations/Responsibility/Breach
Littlewolf v. Hodel 302
Napeahi v. Paty [43,775] 810
Trust Relations/Trust and Restricted Lands
Anderson v. United States 418
Ducheneaux v. Secretary of the Interior 194
Ulaleo v. Paty [43,773] 811
Trust Relations/Trust and Restricted Lands/Conveyance
Napeahi v. Paty [43,775] 810
Poorman v. Bowen [43,326] 73, 542
Trust Relations/Trust and Restricted Lands/Inheritance
Littlewolf v. Hodel 302
Trust Relations/Trust Funds
VA's Gen. Counsel's Opinion re Treatment of Tribal Per Capita Payments for Improved Pension Purposes, *In re* [43,331] 73
Trust Relations/Trust Funds/Federal Authority Over
Maldonado v. Hodel 418
Trust Relations/Trust Funds/Individual
Looney v. Bowen [44,231] 1436
Water Rights
Rights to Use Water In Big Horn River, *In re* 418
Zoning/Tribal Powers
Pinoleville Indian Community v. Mendocino County 542

PARALEGALS

Lawline v. American Bar Ass'n [43,777] 775
Representation
Arons v. New Jersey Bd. of Educ. 188

PARDON AND PAROLE

See also CRIMINAL LAW AND PROCEDURE, PRISONS
Parole Conditions
Greenway v. Johnson [43,714] 678
Procedural Rights/Parole
Harwood v. Johnson 1332
Pinaud v. James 698
Procedural Rights/Parole/Hearings
Bishop v. Moran 91
Melvin v. Nickolopoulos 1452
Procedural Rights/Parole/Rights
United States Dep't of Justice v. Julian 298
Procedural Rights/Revocation Hearing
Williams, *Ex parte* 92
Revocation Hearing/Evidence
Greenway v. Johnson [43,714] 678

PATERNITY

See ILLEGITIMATE CHILDREN

PENSIONS

See also RAILROAD RETIREMENT PLAN, SOCIAL SECURITY PROGRAMS
Mollick v. Retirement Fund of the Fur Mfg. Indus. [43,849] 814
Divorce
Grubb, Marriage of, *In re* [43,335] 57
Kneece v. Kneece [43,774] 783
Walker v. Walker 693
Eligibility
Firestone Tire & Rubber Co. v. Bruch 1447
Employee Retirement Income Security Act
American Ass'n of Retired Persons v. Farmers Group 1448
Bigger v. American Commercial Lines, Inc. 92
Fernandez v. Brock [39,922] 194
Firestone Tire & Rubber Co. v. Bruch 1447
Mackey v. Lanier Collections Agency & Serv., Inc. 421
Mollick v. Retirement Fund of the Fur Mfg. Indus. [43,849] 814
Tulley v. Ethyl Corp. 196
Fiduciary Duty
Firestone Tire & Rubber Co. v. Bruch 1447
Fiduciary Duty/Breach
Bigger v. American Commercial Lines, Inc. 92
Garnishment
Mackey v. Lanier Collections Agency & Serv., Inc. 421
Government Employees
Johnson v. Utah State Retirement Office [43,481] 406
Sex Discrimination
Florida v. Long 420

PRISONS

See also PARDON AND PAROLE
Access to Courts
Castillo v. Bowles 699
DeMallory v. Cullen 838
Gee v. Cripe 698
Harris v. Fleming 195
Holmes v. Hardy 698
Houston v. Lack 418
Muhammad v. Warden, Baltimore City Jail 543
Powell, *In re* 698
Strube v. Strube 1331
Sturm v. Clark 91
Tyler, *In re* 91
Williams v. Lane 699
Access to Courts/Access to Legal Assistance
Archuleta v. Goldman 1198
Hadix v. Johnson 839
Kerlin v. Ginter [43,880] 812
Access to Courts/Access to Legal Assistance/Lawyer
Smith v. Bounds [16,775] 74, 195
Smith-Bey v. Cripe 698
Stewart v. McMickens 91
Access to Courts/Access to Legal Assistance/Paralegal
Long v. Beyer 91
Access to Courts/Access to Records
Williams v. Iowa 420
Access to Courts/Law Libraries
Hadix v. Johnson 839
Long v. Beyer 91
Access to Courts/Law Libraries/Access
Kerlin v. Ginter [43,880] 812
Smith v. Bounds [16,775] 74, 195
Tesack v. Waterford Park, Inc. 699
Administration/Contempt Proceedings
Gallagher v. Wigginton [44,172] 1307
Palmigiano v. DiPrete [14,243] 1452
Tate v. Frey [16,567] 1307
Twelve John Does v. District of Columbia 1197, 1330
Brutality/Guards Against Inmates
Bellamy v. McMickens 839
Morgan v. Ward 1452
Brutality/Guards Against Inmates/Cruel and Unusual Punishment
Fisher v. Koehler 840
Hernandez v. Denton 1331
Brutality/Inmates Against Inmates
Bellamy v. McMickens 839
Fisher v. Koehler 840
Hernandez v. Denton 1331

Hossic v. United States 303
McGhee v. Foltz 698
Mendez-Suarez v. Veles 1331
Moore v. Thieret 1330
Ryan v. Burlington County, N.J. 1189
Santiago v. Lane 1197

Classification of Prisoners

Doe v. Coughlin [41,676] 1167
Heath v. DeCourcy [42,342] 678, 1308
Monmouth County Correctional Inst. Inmates v. Lanzaro 1198
Ryan v. Burlington County, N.J. 1189
Smith v. Shettle 839

Classification of Prisoners/Due Process

Thornton v. Hunt 699
Williams v. Armontrout 699

Conditions of Confinement

Rickman v. Avaniti 839

Conditions of Confinement/ Closing of Prisons/Constitutional Deficiencies

Inmates of the Allegheny County Jail v. Wecht [21,698] 1452

Conditions of Confinement/ Consent Decree

Badgley v. Santacroce [42,555] 698
Heath v. DeCourcy [42,342] 678, 1308
Tate v. Frey [16,567] 1307
Twelve John Does v. District of Columbia 1197, 1330
United States v. Michigan 195

Conditions of Confinement/ Cruel and Unusual Punishment

Avery v. Powell 1197
Cale v. Johnson 1330
Flowers v. Fauver 420
Harris v. Fleming 195
Heath v. DeCourcy [42,342] 678, 1308
Hernandez v. Denton 1331
Inmates of the Allegheny County Jail v. Wecht [21,698] 1452
Johnson v. Commissioner of Correctional Servs. ... 1452
McGhee v. Foltz 698
Mendez-Suarez v. Veles 1331
Morales Feliciano v. Hernandez Colon 1188, 1198
Morgan v. Ward 1452
Ricks v. City of Toledo [43,763] 813
Santiago v. Coughlin [44,216] 1309
White v. Wigginton [43,872] 812

Conditions of Confinement/Exercise and Recreation

Davenport v. DeRobertis 419
Gumpl v. Seiter 699

Conditions of Confinement/Filth

DeMallory v. Cullen 838
Majette v. Butterworth 1331

Conditions of Confinement/Fire Code Compliance

Inmates of the Allegheny County Jail v. Wecht [21,698] 1452

Conditions of Confinement/Food Services

United States v. Michigan 195

Conditions of Confinement/Health Care

Archuleta v. Goldman 1198
Pohlman v. Stokes 699
Waldrop v. Evans 302
White v. Wigginton [43,872] 812

Conditions of Confinement/Improvement of Prisons

Knop v. Johnson 543, 1443

Conditions of Confinement/Multiple Violations

Beck v. Lynaugh 302
Eng v. Coughlin 420
Farmer v. Carlson 543

Conditions of Confinement/Overcrowding

Castillo v. Bowles 699
Fisher v. Koehler 840
Gallagher v. Wigginton [44,172] 1307
Hossic v. United States 303
Moss v. Clark 1331
Ryan v. Burlington County, N.J. 1189

Conditions of Confinement/Overcrowding/Population Limitations

Albro v. County of Onondaga 91
Badgley v. Santacroce [42,555] 698
Heath v. DeCourcy [42,342] 678, 1308
Inmates of the Allegheny County Jail v. Wecht [21,698] 1452
Palmigiano v. DiPrete [14,243] 1452
Plyler v. Evatt 419
Tate v. Frey [16,567] 1307
Twelve John Does v. District of Columbia 1197, 1330

Conditions of Confinement/Personal Hygiene

Davenport v. DeRobertis 419

Conditions of Confinement/Recreation

Monmouth County Correctional Inst. Inmates v. Lanzaro 1198
Termunde v. Cook 420

Conditions of Confinement/Sanitation

Glick v. Henderson 838
Johnson v. Commissioner of Correctional Servs. 1452

Conditions of Confinement/Solitary Confinement

Doe v. Neumayer [43,541] 405, 1308

Conditions of Confinement/Totality of Conditions

Inmates of the Allegheny County Jail v. Wecht [21,698] 1452
Monmouth County Correctional Inst. Inmates v. Lanzaro 1198
Ricks v. City of Toledo [43,763] 813
United States v. Michigan 195

Conditions of Confinement/Visitation Rights

Shaddy v. Gunter 839
Sturm v. Clark 91

Custody and Control of Prisoners

Jones v. Coughlin 1331
Morales Feliciano v. Hernandez Colon 1188, 1198

Scalise v. Meese 699

Custody and Control of Prisoners/ Administrative Segregation

Davenport v. DeRobertis 419
Doe v. Coughlin [41,676] 1167
Doe v. Neumayer [43,541] 405, 1308
Farmer v. Carlson 543
Lewis v. Woods 543
Muhammad v. Carlson 419
Smith v. Shettle 839
United States v. Michigan 195
Williams v. Lane 699

Custody and Control of Prisoners/ Administrative Segregation/Due Process

Hernandez v. Denton 1331
Taylor v. Koon 303

Custody and Control of Prisoners/ Disciplinary Proceedings-Hearings

Eng v. Coughlin 1197
Feagin v. Broglin 839
New York *ex rel.* Reed v. Scully [43,606] 521

Custody and Control of Prisoners/ Disciplinary Proceedings-Hearings/ Constitutionality

Malik v. Tanner 1331
Santiago v. Coughlin [44,216] 1309
Shabazz v. Coughlin 698
Soto v. Lord 840
Williams v. Iowa 420

Custody and Control of Prisoners/Disciplinary Proceedings-Hearings/Discrimination

Salahuddin v. Harris 543

Custody and Control of Prisoners/Disciplinary Proceedings-Hearings/Due Process

Adkins v. Martin 1452
Culbert v. Young [43,376] 179
Dell'Orfano v. Scully 840
Eng v. Coughlin 420
Gutierrez v. Coughlin 195
Hensley v. Wilson 698
Hodges v. Scully 832
Johnson v. Fair 1331
Malik v. Tanner 1331
Melvin v. Nickolopoulos 1452
Morgan v. Ward 1452
Peranzo v. Coughlin 698
Sims v. Dugger 91
Staples v. Young 195
Taylor v. Koon 303
Vines v. Howard 91

Custody and Control of Prisoners/Drug Testing

Adkins v. Martin 1452
Dell'Orfano v. Scully 840
Peranzo v. Coughlin 698
Soto v. Lord 840

Custody and Control of Prisoners/Educational Opportunities

Glover v. Johnson [23,446] 838

Custody and Control of Prisoners/Employment

Flowers v. Fauver 420
Nicolaison v. Erickson 699

Custody and Control of Prisoners/Grievance Procedure

Hadix v. Johnson 839

Custody and Control of Prisoners/Protective or Voluntary Custody/Right to Hearing

Dell'Orfano v. Scully 840

Custody and Control of Prisoners/Published Regulations

Lovell v. Superintendent, N. Cent. Correctional Inst. 543
Shaddy v. Gunter 839
Wilson v. Idaho 91

Custody and Control of Prisoners/Punitive Segregation

Baraldini v. Meese 839
Johnson v. Fair 1331
Morgan v. Ward 1452
Soto v. Lord 840

Custody and Control of Prisoners/Reclassification/Due Process

Williams v. Armontrout 699

Custody and Control of Prisoners/Use of Chemicals

Dell'Orfano v. Scully 840

Damages

Eng v. Coughlin 420
Harwood v. Johnson 1332
Soto v. Lord 840
Vanscoy v. Hicks 839

Defenses

Palmigiano v. DiPrete [14,243] 1452

Defenses/Good Faith

Morgan v. Ward 1452

Defenses/Immunity

Baez v. Rapping 195
DeMallory v. Cullen 838
Eng v. Coughlin 1197
Feagin v. Broglin 839
Harper v. Kemp 91
Harwood v. Johnson 1332
Hensley v. Wilson 698
Johnson v. Commissioner of Correctional Servs. 1452
Majette v. Butterworth 1331
Mendez-Suarez v. Veles 1331
Ryan v. Burlington County, N.J. 1189
Shaddy v. Gunter 839
Soto v. Lord 840
Vines v. Howard 91
Zaire v. Dalsheim 1331

Educational Programs

Glover v. Johnson [23,446] 838
High v. Lane [43,380] 180
Termunde v. Cook 420

Freedom of Speech

Baraldini v. Meese 839

Salahuddin v. Harris 543
Wilson v. Idaho 91

Furloughs/Eligibility
Jones v. Coughlin 1331

Good Time/Loss/Due Process
Gallagher v. Wigginton [44,172] 1307
Moss v. Clark 1331
Thornton v. Hunt 699

Habeas Corpus
Vargas v. Swan 837

Handicapped Persons
Bonner v. Lewis 1197

Health Care
Baez v. Rapping 195
Wood v. Lee [43,555] 405, 1308

Health Care/Access
Farmer v. Carlson 543
Morales Feliciano v. Hernandez Colon 1188, 1198

Health Care/Access/Outside Medical Care
Wood v. Sunn 699

Health Care/Adequacy
Archuleta v. Goldman 1198
Glick v. Henderson 838
Inmates of the Allegheny County Jail v. Wecht [21,698] 1452
Pohlman v. Stokes 699
United States v. Michigan 195
Waldrop v. Evans 302
West v. Atkins [41,889] 418
Wood v. Sunn 699

Health Care/Dental Care
White v. Wigginton [43,872] 812

Health Care/Drugs/Forced Use
Harper v. Washington [43,636] 521
Zaire v. Dalsheim 1331

Inmate Injuries/Adequacy of Medical Care
Eng v. Coughlin 420
Greer v. St. Tammany Parish Jail 839

Inmate Injuries/Section 1983
Avery v. Powell 1197
Bellamy v. McMickens 839
Greer v. St. Tammany Parish Jail 839
McGhee v. Foltz 698
Melvin v. Nickolopoulos 1452
Moore v. Thieret 1330
Muhammad v. Warden, Baltimore City Jail 543
Rickman v. Avaniti 839
Ryan v. Burlington County, N.J. 1189
Salahuddin v. Harris 543
Santiago v. Lane 1197
Shabazz v. Coughlin 698
Zaire v. Dalsheim 1331

Inmate Injuries/Tort Action
Hossic v. United States 303
Lewis v. Woods 543

Mail Privileges
Houston v. Lack 418
Richardson v. McDonnell 195
Theriault v. Magnusson 1331

Personal Property
Bennett v. Arkansas 91
Harper v. Kemp 91

Pretrial Detention/Conditions
Albro v. County of Onondaga 91
Gee v. Cripe 698
Greer v. St. Tammany Parish Jail 839
Majette v. Butterworth 1331
Morales Feliciano v. Hernandez Colon 1188, 1198
Ryan v. Burlington County, N.J. 1189
Wood v. Lee [43,555] 405, 1308

Pretrial Detention/Injuries
Greer v. St. Tammany Parish Jail 839

Records/Access
Williams v. Iowa 420

Records/Expungement
Fendler v. U.S. Bureau of Prisons 419

Rehabilitation Programs/Employment
Young v. Cutter Biological 839

Rehabilitation Programs/Right to
Gallagher v. Wigginton [44,172] 1307

Rehabilitation Programs/Work Release
Francis v. Fox 195
Jones v. Coughlin 1331

Religious Practices
Abdool-Rashaad v. Seiter 840
Fromer v. Skully 840
Reed v. Faulkner 302
Shabazz v. Coughlin 698
Vanscoy v. Hicks 839
Williams v. Lane 699

Religious Practices/Right to Services
Aliym v. Miles 195
Cooper v. Tard 838
Termunde v. Cook 420

Right to Privacy
Doe v. Coughlin [41,676] 1167
Woods v. White 699
Zaire v. Dalsheim 1331

Searches/Body Searches
Morgan v. Ward 1452

Searches/Property Searches
Castillo v. Bowles 699
Michigan v. Kesl 543

Searches/Strip Searches
Rickman v. Avaniti 839

Solitary Confinement/Due Process
Eng v. Coughlin 420

Supervision of Prisoners
Cooper v. Tard 838

Transfers/Procedural Rights
Gee v. Cripe 698
Johnson v. Fair 1331
Missouri *ex rel.* Div. of Adult Inst. v. Brackman 92

Transfers/Retaliatory
Baraldini v. Meese 839

Voting Rights
Martin v. Haggerty 1452
Women's Facilities
Baraldini v. Meese 839
Monmouth County Correctional Inst. Inmates v. Lanzaro 1198
Women's Facilities/Equal Facilities
Glover v. Johnson [23,446] 838
High v. Lane [43,380] 180
Pitts v. Meese 419
Women's Facilities/Treatment and Rehabilitation
High v. Lane [43,380] 180
Women's Facilities/Vocational Training
High v. Lane [43,380] 180

PRIVACY

Barron v. Florida Freedom Newspapers, Inc. 1324
Doe v. Coughlin [41,676] 1167
Doe v. Prime Health/Kansas City, Inc. [43,856] 742
Fendler v. U.S. Bureau of Prisons 419
Glover v. Eastern Neb. Community Office of Retardation 539
Hollis v. United States Dep't of Army 1200
Owens v. Sugarman [44,037] 1185
Petitioner & Respondent, Marriage of, *In re* [42,136] 785
Salinas-Pena v. INS [42,510] 68
Drug Testing
Rabago, *In re* [43,888] 822
Polygraph Examinations
Hood v. Alabama State Personnel Bd. 87

PROBATE

Smith v. Jones 1192

PUBLIC HOUSING

See HOUSING

PUBLIC TRANSPORTATION

Discrimination/Inner City Residents
Committee for a Better North Philadelphia v. Southeastern Penn. Transp. Auth. [43,324] 76
Funding
Committee for a Better North Philadelphia v. Southeastern Penn. Transp. Auth. [43,324] 76
Handicapped Persons
Americans Disabled for Accessible Pub. Transp. v. Burnley [43,230] 1426
Americans Disabled for Accessible Pub. Transp. v. Metropolitan Transp. Auth. [44,247] 1426
Disabled in Action of Penn., *In re* [43,323] 60
Jones v. Chicago Transit Auth. [43,383] 168

PUBLIC UTILITIES

See also ENERGY
Puget Sound Power & Light v. Washington Dep't of Community Dev. [44,193] 1309
Billing/Third-Party Payment Obligations
Adams v. Musolino [44,086] 1167
Rates/Increases
Consumer Advocate v. Iowa Commerce Comm'n 1198
Rates/Increases/Investigation of Costs
Proposed $49 Million Base Rate Increase for the Philadelphia Gas Works, *In re* [43,779] 813, 1436
Termination/By Municipality
Luna v. City of Georgetown [42,528] 406
Termination/Due Process
Boudette v. Arizona Pub. Serv. Co. 544
Termination/Procedures
Adams v. Musolino [44,086] 1167
Luna v. City of Georgetown [42,528] 406
Mid-Iowa Community Action, Inc. v. Iowa Commerce Comm'n 420

RAILROAD RETIREMENT PLAN

See also SOCIAL SECURITY PROGRAMS
Social Security Recipients
Wallers v. United States 544

RELOCATION

See also HOUSING
Restoration Projects
Smith v. Housing Auth. of Vancouver [43,581] 516
Urban Renewal
Houston v. City of Cocoa [44,272] 1429

REPOSSESSION

See also AUTOMOBILES, CONSUMER
Deficiency Judgment
Bryant v. General Motors Acceptance Corp. 85
Mellon Bank v. Dougherty [43,841] 781
Due Process/Damage for Violation
Amigo Chevrolet v. Lee [42,822] 811
Sales/Commercially Reasonable
Bryant v. General Motors Acceptance Corp. 85
Kentucky Fin. Co. v. Miller [43,297] 56
Sales/Notices
Mellon Bank v. Dougherty [43,841] 781
Seizures/Right to Property/Waiver
Amigo Chevrolet v. Lee [42,822] 811

RURAL ISSUES

See also HOUSING
Farm Credit System
Hedge v. Lyng [41,228] 700
Farmers Home Administration
Sullivan v. FmHA [42,995] 840
Farmers Home Administration/Farmer Loan Programs/Foreclosure
Allen v. United States Dep't of Agriculture, FHA ... 1329
Bell v. Lyng [43,363] 180
Coleman v. Lyng [37,981] 1452
Hedge v. Lyng [41,228] 700

Smithson v. United States 544
Federal Land Bank of Wichita v. Frech [43,843] 813
United States v. Austin 840
United States v. Mikolaitis 303
United States v. Spears 1198

Food Security Act of 1985

Hedge v. Lyng [41,228] 700

SENIOR CITIZENS

Assistance Programs

Hoffman v. Otwell [43,637] 522

Assistance Programs/Food Stamps

Gagnon v. Atkins [43,814] 789

Bank Accounts

Kirchgatter v. Arden [43,564] 523

Community-Based Services

Appalachian Agency for Senior Citizens v. Ferguson [40,909] 679

Discrimination

Action Alliance of Senior Citizens of Greater Philadelphia v. Bowen [34,403] 266
Betts v. Hamilton County Bd. of Mental Retardation 544
Robinson v. Sizes Unlimited, Inc. 544

Employment

Betts v. Hamilton County Bd. of Mental Retardation 544
Robinson v. Sizes Unlimited, Inc. 544

Guardianship

B., *In re* [43,666] 522
Prange, Estate of, *In re* [43,358] 169

Housing/ Boarding Homes

Hart v. Roseman [44,074] 1150

Insurance

Stat Ambulance Serv. v. Starr [44,206] 1300

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The LSC Data Base has restricted availability, which means that only designated persons from LSC-funded programs who have access to LEXIS or WESTLAW have the LSC Data Base available to them.

There are two ways to access the LSC Data Base. One is to have in-house LEXIS or WESTLAW capabilities and the necessary authorizations to gain access. The second is to call your regional CALR project (listed below) and tell them the issue you are interested in. They will send you a printout of the results of their search.

Private attorneys who participate in an LSC-sponsored private bar involvement project should contact their sponsoring program regarding LSC Data Base availability.

Program attorneys in Region I (Connecticut, Maine, Vermont, Massachusetts, New Hampshire and Rhode Island), Idaho and Montana should call or write

Massachusetts Law Reform Institute
69 Canal St., 2nd Fl.
Boston, MA 02114
1-800-225-2044: in Mass.
and outside N.E., (617) 742-9335 or 9336

Program attorneys in New York State should call or write

Greater Upstate Law Project
87 Clinton Ave. North
Rochester, NY 14604
(716) 454-6500

Program attorneys in Regions III, IV (Delaware, D.C., Maryland, Michigan, New Jersey, Ohio, Pennsylvania, Virginia, and West Virginia) and Alaska should call or write

Ohio State Legal Services
861 N. High St.
Columbus, OH 43214
1-800-848-0180; in Ohio, (800) 282-2769

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407 S. Dearborn, Ste. 400
Chicago, IL 60605
1-800-621-3256; in Illinois (312) 939-3834

Program attorneys in Region VI (Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee), Washington and Wyoming should call or write

Legal Aid Society of Northwest North Carolina
216 W. 4th St., Patten Bldg.
Winston-Salem, NC 27101
(919) 725-9166

Program attorneys in Region VIII (California and Nevada) should call or write

Western Center on Law and Poverty
3535 W. 6th St.
Los Angeles, CA 90020
(213) 487-7211

SOCIAL SECURITY PROGRAMS

Administrative Law Judges/Decisions
Chiles v. Bowen 1199
Willbanks v. Secretary of HHS [43,151] 287

Administrative Law Judges/Duties/Unrepresented Claimant
Fogarty v. Secretary of HHS ..... 84[illegible]
Smith v. Bowen ..... 7[illegible]

Administrative Law Judges/Errors in Hearing
Wynn v. Bowen [43,257] 75, 657

Administrative Law Judges/Questioning
Smith v. Bowen 701

Administrative Review/Overpayments
Pearson v. Bowen [43,874] 818

Appeals Council/Denial of Review
Bush v. Bowen 842

Appeals Council/Power to Revise or Reopen
DeLeon v. Secretary of HHS 701
Doe, *In re* [43,730] 683
Fox v. Bowen 61
Hatfield v. Bowen 545

Appeals Council/Practice and Procedure
Cummings v. Bowen 93

Appeals Council/Review of Favorable ALJ Decisions
Chiles v. Bowen 1199
Dixon v. Bowen 1199
Hatfield v. Bowen 545
Paige v. Bowen 1199
Thomas v. Bowen 842
Willbanks v. Secretary of HHS [43,151] 287

Attorney Fees
Andrew v. Bowen 188
Baker v. Bowen 188
Baker v. Bowen 188
Bowen v. Bowen [43,544] 389
Cain v. Bowen 412
Carmel v. Bowen 1443
Craig v. Secretary of HHS 1443
Gatson v. Bowen [43,603] 197, 830
Goodro v. Bowen 830
Guadamuz v. Bowen 1187
Hadden v. Bowen [42,327] 691
Holmberg v. Bowen 692
Hutchinson v. Bowen 84
Joyner v. Bowen 1443
Linquist v. Bowen [30,109] 53
McBean v. Bowen [44,182] 1286
McBride v. Bowen [44,166] 1287
McDonald v. Bowen 831
Papazian v. Bowen 830
Reeves v. Bowen 189, 1188
Renzi v. Bowen [43,877] 775
Rodriguez v. Secretary of HHS 830
Shoemaker v. Bowen 691
Simmons v. Cohen 1444
Sisk v. Bowen 831
Tepper v. Bowen 691
Willis v. Bowen [43,693] 682

Benefits/Amount/Insured Status
McAninch v. Bowen 842

Benefits/Entitlement
Briggs v. Bowen [44,289] 1437

Benefits/Execution/Exemptions
Todd v. Romano 1444

Benefits/Overpayments
Klein, *In re* [43,886] 819
Pearson v. Bowen [43,874] 818

Benefits/Reduction/Offset
Allen v. Secretary of HHS 196
Batista v. Bowen 197
Sweazey v. Bowen [43,986] 1170
Willis v. Bowen [43,693] 682

Benefits/Retroactive
Head v. Jellico Hous. Auth. [42,444] 401
Linquist v. Secretary of HHS 1453
Tusson v. Bowen 93

Child's Insurance Benefits
Klein, *In re* [43,886] 819
Langer v. Bowen [44,127] 1172
Todd v. Norman 199

Child's Insurance Benefits/Eligibility
Beasley v. Bowen 841
Fogarty v. Secretary of HHS 842
Linquist v. Secretary of HHS 1453
Marcus v. Bowen [38,704] 816

Child's Insurance Benefits/Eligibility/Illegitimate Children
Bray v. Bowen 840
Patterson v. Bowen 196
Zachery v. Bowen [43,853] 820

Child's Insurance Benefits/Representative Payee/Misuse of Payments
Stroop v. Bowen [43,018] 1177

Claimant/Age as Factor
Beasley v. Bowen 841

Claims/Initial Determination Process
Hunt v. Van Cura [44,084] 1169
Turner v. Bowen 840

Claims/Reopening
Burkhart v. Bowen 841
Haas v. Bowen 842

Disability Benefits/Administration
Schweiker v. Chilicky 421

Disability Benefits/Administration/Procedures
Hunt v. Van Cura [44,084] 1169

Disability Benefits/Applications
Barton v. Secretary of HHS 422

Disability Benefits/Burden of Proof
Cushman v. Bowen 422
Gatson v. Bowen [43,603] 197, 830
McIntyre, *In re* [44,290] 1438

Disability Benefits/Covered Quarters
Ransom v. Bowen 422
Disability Benefits/Decisionmaking Process
Johnson v. Bowen [35,037] 1169
Disability Benefits/Delay in Processing
Blankenship v. Secretary of HHS [15,795] 1199, 1309
Turner v. Bowen 840
Disability Benefits/Determinations
Haas v. Bowen 842
Hatfield v. Bowen 545
Hunt v. Van Cura [44,084] 1169
Martinez v. Bowen 544
Vanderpool v. Cowherd [43,649] 525
Varney v. Secretary of HHS 422, 1199
Disability Benefits/Determinations/ Notice
Butland v. Bowen [43,436] 287
Disability Benefits/Determinations/ Quality
Burkhart v. Bowen 841
Disability Benefits/Determinations/ Timeliness
Turner v. Bowen 840
Disability Benefits/Eligibility
Barrett v. Secretary of HHS 196
Flynn v. Bowen [43,884] 814
McAninch v. Bowen 842
McBean v. Bowen [44,182] 1286
Ransom v. Bowen 422
Turner v. Bowen 840
Disability Benefits/Eligibility/ Ability to Work
Asher v. Bowen 196
Atkinson v. Bowen 1453
Baker v. Bowen 1199
Bland v. Bowen 1332
Claudio v. Bowen 841
Crawford v. Bowen 701
Crist v. Bowen 303
Dealmeida v. Bowen 1332
Denson v. Bowen 303
Fedde v. Bowen [44,121] 1171
Fernandez-Sosa v. Bowen 1453
Fogarty v. Secretary of HHS 842
Jones v. Bowen 1332
Manahan v. Bowen [43,574] 525
Martinez v. Bowen 544
Mayes v. Secretary of HHS [43,858] 818
Paige v. Bowen 1199
Paulson v. Bowen 92
Snyder v. Bowen 842
Sobocinski v. Bowen 93
Taylor v. Bowen 701
Walter v. Secretary of HHS [44,098] 1170
Disability Benefits/Eligibility/ Ability to Work/Age as Factor
Cleaver v. Secretary of HHS 422
Disability Benefits/Eligibility/ Alcoholism
Barrett v. Secretary of HHS [44,031] 1169
Garvin v. Secretary of HHS [43,362] 182
Koszewski v. Bowen 1453
Mayes v. Secretary of HHS [43,858] 818
Ray v. Bowen 303
Disability Benefits/Eligibility/ Availability of Other Work
Johnson v. Bowen 1333
Lanier v. Bowen 303
Morris v. Bowen 1453
Disability Benefits/Eligibility/ Blind Persons
Bunch v. Bowen [43,599] 525
Disability Benefits/Eligibility/ Cessation of Disabilities
G., *In re* [44,194] 1439
Disability Benefits/Eligibility/ Cumulative Effect of Disabilities
Hunt v. Van Cura [44,084] 1169
Johnson v. Bowen [35,037] 1169
Taylor v. Bowen 701
Williams v. Bowen [43,760] 816
Disability Benefits/Eligibility/ Date of Onset
Barton v. Secretary of HHS 422
Beasley v. Bowen 841
Copeland v. Bowen 1332
Dick v. Bowen 842
G., *In re* [44,194] 1439
Kay v. HHS 423
McIntyre, *In re* [44,290] 1438
Ogden v. Bowen 93
Tirone v. Secretary of HHS 701
Willbanks v. Secretary of HHS [43,151] 287
Disability Benefits/Eligibility/ Headaches
McCormick v. Secretary of HHS 1332
Disability Benefits/Eligibility/ Medical-Vocational Guidelines
G., *In re* [44,194] 1439
Disability Benefits/Eligibility/ Mental Disabilities
Bernal v. Bowen 700
Brown v. Bowen 1453
H., B., *In re* [43,642] 526
Kay v. HHS 423
Stevens v. HHS 701
Tenney v. Bowen 701
Woody v. Secretary of HHS [44,144] 1168
Disability Benefits/Eligibility/ Method of Evaluation
Arbogast v. Bowen 1199
Conley v. Bowen 1198
Gatson v. Bowen [43,603] 197, 830
Hunt v. Van Cura [44,084] 1169
Johnson v. Bowen [35,037] 1169

Marcus v. Bowen [38,704] 816
McCormick v. Secretary of HHS 1332

Disability Benefits/Eligibility/ Proof and Severity of Disability

Ballard v. Bowen 842
Collins-Maat v. Bowen 841
DuBreuil v. Bowen 93
Gatson v. Bowen [43,603] 197, 830
Johnson v. Bowen 1333
Yuckert v. Bowen [41,780] 196

Disability Benefits/Eligibility/ Wage Earner

McAninch v. Bowen 842

Disability Benefits/Evidence

Baker v. Bowen 1199
Barrett v. Secretary of HHS [44,031] 1169
Geyen v. Secretary of HHS 700

Disability Benefits/Evidence/ Credibility

Arbogast v. Bowen 1199
Butler v. Secretary of HHS 700
Copeland v. Bowen 1332
D'Agostino v. Bowen 1199
Fedde v. Bowen [44,121] 1171
Gatson v. Bowen [43,603] 197, 830
Jones v. Bowen 1333
Sias v. Secretary of HHS 1332
Varney v. Secretary of HHS 422, 1199

Disability Benefits/Evidence/ Erroneous Legal Standard

Smith v. Bowen 1333

Disability Benefits/Evidence/ Grid Regulations

Baker v. Bowen 1199
Bohr v. Bowen 544
Jones v. Bowen 1333
Kelsey v. Bowen 303
Listenbee v. Secretary of HHS 422
Poindexter v. Bowen 545
Welch v. Bowen 841

Disability Benefits/Evidence/ Medical Equivalence

J., *In re* [44,179] 1311
Marcus v. Bowen [38,704] 816

Disability Benefits/Evidence/ Medical Evidence

A., M., *In re* [43,684] 683
Collins-Maat v. Bowen 841
D'Agostino v. Bowen 1199
Darden v. Secretary of HHS 842
Holladay v. Bowen 544
Jones v. Bowen 1333
Wynn v. Bowen [43,257] 75, 657

Disability Benefits/Evidence/ Medical Evidence/Disregarded by ALJ

Embrey v. Bowen 544
Frankenfield v. Bowen 1332
J., *In re* [44,179] 1311
Kelsey v. Bowen 303
Manahan v. Bowen [43,574] 525
Wilson v. Bowen 841

Disability Benefits/Evidence/ Medical Findings

Bernal v. Bowen 700
Kay v. HHS 423
Stevens v. HHS 701
Whittington v. Bowen 1453

Disability Benefits/Evidence/ Medical-Vocational Guidelines

Fernandez-Sosa v. Bowen 1453
Fogarty v. Secretary of HHS 842
Johnson v. Bowen 1333
Walter v. Secretary of HHS [44,098] 1170

Disability Benefits/Evidence/ Mental Disabilities

Brown v. Bowen 1453
Poindexter v. Bowen 545

Disability Benefits/Evidence/ Pain

Cummings v. Bowen 93
D'Agostino v. Bowen 1199
Dominick v. Bowen 1332
Fedde v. Bowen [44,121] 1171
Floyd v. Bowen [37,121] 74
Hopkins v. Bowen 700
Jenkins v. Bowen 1332
Johnson v. Bowen 1333
Jones v. Bowen 1333
Martinez v. Bowen 701
McCormick v. Secretary of HHS 1332
Paige v. Bowen 1199
Poindexter v. Bowen 545
Sias v. Secretary of HHS 1332
Smith v. Bowen [43,894] 817
Smith v. Bowen 1333
Snyder v. Bowen 842
Spada v. Bowen 701
Varney v. Secretary of HHS 422, 1199
Walter v. Secretary of HHS [44,098] 1170
Woody v. Secretary of HHS [44,144] 1168
Wynn v. Bowen [43,257] 75, 657

Disability Benefits/Evidence/ Substantial

Asher v. Bowen 196
Ballard v. Bowen 842
Bland v. Bowen 1332
Calandro v. Bowen 1200
Chavez v. Bowen 303
Clark v. Bowen 1453
Claudio v. Bowen 841
Cleaver v. Secretary of HHS 422
Crawford v. Bowen 701
Dealmeida v. Bowen 1332
Dixon v. Bowen 1199
Dominick v. Bowen 1332
Fernandez-Sosa v. Bowen 1453

Gray v. Bowen 841
Johnson v. Bowen 1333
Kelsey v. Bowen 303
Klein v. Bowen 1333
Mayes v. Secretary of HHS [43,858] 818
McCormick v. Secretary of HHS 1332
Nesvold v. Bowen 422, 691
Poindexter v. Bowen 545
Samples v. Secretary of HHS [43,578] 523
Spada v. Bowen 701
Tenney v. Bowen 701
Whittington v. Bowen 1453
Williams v. Bowen 1198
Winans v. Bowen 700

Disability Benefits/Evidence/Testimony of Treating Physician
Bunch v. Bowen [43,599] 525
Burkhart v. Bowen 841
Cushman v. Bowen 422
Eggleston v. Bowen 700
Embrey v. Bowen 544
Floyd v. Bowen [37,121] 74
Frankenfield v. Bowen 1332
George v. Bowen 842
Hopkins v. Bowen 700
Martinez v. Bowen 701
Schisler v. Bowen [32,771] 700
Sobocinski v. Bowen 93
Williams v. Bowen [43,760] 816

Disability Benefits/Grid Regulations
Eggleston v. Bowen 700
Jones v. Bowen 1333
Samples v. Secretary of HHS [43,578] 523

Disability Benefits/Hearings/De Novo
Bunch v. Bowen [43,599] 525

Disability Benefits/Hearings/Fair Hearing Rights
Wallace v. Bowen 840

Disability Benefits/Hearings/Posthearing Examination
Johnson v. Bowen 1333

Disability Benefits/Hearings/Presence at Hearing/Waiver
Stoner v. Secretary of HHS 196

Disability Benefits/Hearings/Responsibilities of ALJ
Burkhart v. Bowen 841
Frankenfield v. Bowen 1332
George v. Bowen 842
Smith v. Bowen 1333
Welch v. Bowen 841

Disability Benefits/Hearings/Right to Counsel
Fernandez v. Bowen 93

Disability Benefits/Hearings/Submission of Evidence
Copeland v. Bowen 1332

Disability Benefits/Hearings/Subpoenas
Wallace v. Bowen 840

Disability Benefits/Hearings/Testimony/Claimant
Frankenfield v. Bowen 1332
Smith v. Bowen 1333

Disability Benefits/Hearings/Testimony/Treating Physician
George v. Bowen 842

Disability Benefits/Hearings/Testimony/Vocational Expert
Bland v. Bowen 1332
Holladay v. Bowen 544
Jenkins v. Bowen 1332

Disability Benefits/Hearings/Vocational Evaluations
Jenkins v. Bowen 1332

Disability Benefits/Impairments
Kelley v. Bowen 702

Disability Benefits/Impairments/Duration
Clark v. Bowen 1453
Williams v. Bowen [43,760] 816

Disability Benefits/Impairments/Listing
Foster, *In re* [43,617] 526
Holladay v. Bowen 544
Marcus v. Bowen [38,704] 816
Winans v. Bowen 700

Disability Benefits/Impairments/Severity
Clark v. Bowen 1453
Garvin v. Secretary of HHS [43,362] 182
Ray v. Bowen 303

Disability Benefits/Impairments/Vocational Impairments
Atkinson v. Bowen 1453
Eggleston v. Bowen 700
Flynn v. Bowen [43,884] 814
Johnson v. Bowen 701

Disability Benefits/Lump Sum Payments
Lemire v. HHS 304

Disability Benefits/Medical-Vocational Guidelines
Bohr v. Bowen 544
Crist v. Bowen 303
Lanier v. Bowen 303
Samples v. Secretary of HHS [43,578] 523

Disability Benefits/Mental Disabilities
Bernal v. Bowen 700
Doe, *In re* [43,730] 683
Geyen v. Secretary of HHS 700
Kelley v. Bowen 702
Samples v. Secretary of HHS [43,578] 523

Disability Benefits/Mental Disabilities/Social Interaction
Woody v. Secretary of HHS [44,144] 1168

Disability Benefits/Physical Therapy
Atkinson v. Bowen 1453

Disability Benefits/Prescribed Treatment
Dawkins v. Bowen 540
Garvin v. Secretary of HHS [43,362] 182

Disability Benefits/Prompt Processing
Villa Morales v. Bowen [44,246] 1437

Disability Benefits/Psychiatric Examinations
Woody v. Secretary of HHS [44,144] 1168
Disability Benefits/Reduction in Benefits/Offset
Allen v. Secretary of HHS 196
Lemire v. HHS 304
Disability Benefits/Res Judicata
Butland v. Bowen [43,436] 287
Chavez v. Bowen 303
Klein v. Bowen 1333
McDonald v. Bowen 1333
Disability Benefits/Retroactive Benefits
Baker v. Bowen 188
Johnson v. Crossville Hous. Auth. [44,274] 1430
Tusson v. Bowen 93
White v. Bowen 92
Disability Benefits/Review by Appeals Council
Morris v. Bowen 1453
Disability Benefits/Severity of Impairment
Denson v. Bowen 303
DuBreuil v. Bowen 93
Garvin v. Secretary of HHS [43,362] 182
McDonald v. Bowen 831
Yuckert v. Bowen [41,780] 196
Disability Benefits/Subjective Pain
Copeland v. Bowen 1332
Crist v. Bowen 303
Hopkins v. Bowen 700
McCormick v. Secretary of HHS 1332
Smith v. Bowen [43,894] 817
Snyder v. Bowen 842
Varney v. Secretary of HHS 422, 1199
Disability Benefits/Substantial Gainful Activity
Barrett v. Secretary of HHS 196
Bohr v. Bowen 544
Calandro v. Bowen 1200
Conley v. Bowen 1198
Garnett v. Bowen [43,399] 181
Kelley v. Bowen 702
Mayes v. Secretary of HHS [43,858] 818
Mullis v. Bowen 1332
Whittington v. Bowen 1453
Disability Benefits/Termination
Torres v. Secretary of HHS 421
Vanderpool v. Cowherd [43,649] 525
Disability Benefits/Termination/Cessation of Disabilities
Schweiker v. Chilicky 421
Disability Benefits/Timely Filing of Complaint
Berg v. Bowen 1333
Leslie v. Bowen 1199
Wong v. Bowen 831
Disability Benefits/Vocational Evaluations
Morris v. Bowen 1453
Whittington v. Bowen 1453
Estoppel Against Agency
Karliner v. Bowen 93
Issuance of Social Security Numbers
Jones v. Bowen 841
Judicial Review
Barrett v. Secretary of HHS [44,031] 1169
Wong v. Bowen 831
Judicial Review/Hearings
Burkhart v. Bowen 841
Judicial Review/Jurisdiction
Bush v. Bowen 842
Doan v. Secretary of HHS 197
McDonald v. Bowen 1333
Torres v. Secretary of HHS 421
Judicial Review/Standards
Martin v. Bowen [43,883] 815
Mother's Insurance Benefits/Deemed Widow/Application of Legal Widow
Scott v. Bowen 422
Mother's Insurance Benefits/Eligibility
Linquist v. Secretary of HHS 1453
Slessinger v. Secretary of HHS 92
Tannehill v. Bowen 701
Notices
Butland v. Bowen [43,436] 287
Descheenie v. Bowen 700
Overpayments/Due Process
Everhart v. Bowen [43,697] 680
Webb v. Bowen [43,708] 680
Overpayments/Recoupment
Bray v. Bowen 840
Everhart v. Bowen [43,697] 680
Garnett v. Bowen [43,399] 181
Healea v. Bowen [42,500] 1199
Langer v. Bowen [44,127] 1172
Marchese v. Secretary of HHS 842
Sweazey v. Bowen [43,986] 1170
Webb v. Bowen [43,708] 680
Overpayments/Recoupment/Without Fault
Martin v. Bowen [43,883] 815
Tannehill v. Bowen 701
Overpayments/Waiver
Everhart v. Bowen [43,697] 680
Marchese v. Secretary of HHS 842
Sweazey v. Bowen [43,986] 1170
Webb v. Bowen [43,708] 680
Klein, *In re* [43,886] 819
Records
Jabbar v. Secretary of HHS 841
Representation of Claimant/Compensation
Gowen v. Bowen 830
Wells v. Bowen 830
Representative Payee
Briggs v. Bowen [44,289] 1437
Brinkman v. Rahm [41,131] 1310
Fredericks v. Durham [41,401] 794
Res Judicata
DeLeon v. Secretary of HHS 701
Descheenie v. Bowen 700
Retirement Benefits/Attachment
Bennett v. Arkansas 91
Gillespie v. Cherry Creek Nat'l Bank [43,321] 55

Woodall v. Bartolino [40,186] 1451
Retirement Benefits/Denial
Ciccone v. Secretary of HHS 1198
Gerstein v. Bowen 197
Retirement Benefits/Eligibility
Ciccone v. Secretary of HHS 1198
Retirement Benefits/Reduction
Miller v. Aldridge 1454
Pearson v. Bowen [43,874] 818
Retirement Benefits/Retroactive Payments/Early Retirement
Jones v. HHS 303
Survivors' Benefits/Eligibility
Jabbar v. Secretary of HHS 841
Karliner v. Bowen 93
Marcus v. Bowen [38,704] 816
Survivors' Benefits/Illegitimate Children
Brady v. Bowen [43,892] 777
Luke v. Bowen [43,701] 680
Underpayments
Everhart v. Bowen [43,697] 680
Sweazey v. Bowen [43,986] 1170
Webb v. Bowen [43,708] 680
Widows' (Widowers') Insurance Benefits
Batista v. Bowen 197
Langer v. Bowen [44,127] 1172
Widows' (Widowers') Insurance Benefits/Deemed Widow's Termination of Benefits/Application of Legal Widow
Scott v. Bowen 422
West v. Bowen [44,068] 1171
Widows' (Widowers') Insurance Benefits/Dependency Requirements
Drombetta v. Secretary of HHS 422
Widows' (Widowers') Insurance Benefits/Disability
Begley v. Bowen [43,966] 1171
H., B., *In re* [43,642] 526
Hill v. Bowen [42,871] 180
Hutchison v. Bowen 1333
J., *In re* [44,179] 1311
Williams v. Bowen [43,760] 816
Widows' (Widowers') Insurance Benefits/Eligibility
Marcus v. Bowen [38,704] 816
Spruil v. Bowen 831
Widows' (Widowers') Insurance Benefits/Eligibility/Duration Requirements
Williams v. Bowen [43,760] 816
Widows' (Widowers') Insurance Benefits/Eligibility/Second Wives
West v. Bowen [44,068] 1171
Widows' (Widowers') Insurance Benefits/Eligibility/Widow of Valid Marriage
Lynch v. Bowen 303
Wife's Insurance Benefits
Klein, *In re* [43,886] 819

SUPPLEMENTAL SECURITY INCOME

Appeals Process/Appeals Council Review
Knight v. Bowen [42,319] 841
Appeals Process/Extension of Filing Time
Berg v. Bowen 1333
Correa v. Bowen 304
Appeals Process/Reopening Decisions
Gonzalez v. Bowen [42,747] 682
Knight v. Bowen [42,319] 841
Applications/Refusal to Process/Res Judicata
Young v. Bowen 1198
Assets/Deemed Income
Paxton v. Secretary of HHS 841
Tabib, *In re* [43,692] 684
Assets/Deemed Income/Estranged Spouse's Income
Munoz v. Bowen [43,870] 816
Assets/Deemed Income/Living in Household of Another
Hernandez, *In re* [43,689] 684
Assets/Limitations/Life Estate on Land
Vipperman, *In re* [43,404] 182
Assets/Lump Sum Benefits
Goodrich v. Bowen [43,572] 524
Assets/Transfer/Motives
Vipperman, *In re* [43,404] 182
Assets/Unearned Income
Healea v. Bowen [42,500] 1199
Paxton v. Secretary of HHS 841
Attachment
First Nat'l Bank of Ada v. Arles [43,788] 780
Benefits/Applications
Farley v. Bowen [43,480] 407
Benefits/Computation
Farley v. Bowen [43,480] 407
Healea v. Bowen [42,500] 1199
Munoz v. Bowen [43,870] 816
Sprandel v. Secretary of HHS [41,520] 196
Benefits/Entitlement
Quick, *In re* [43,279] 75
Benefits/Reduction
Knight v. Bowen [42,319] 841
Benefits/Reduction/One-Third Rule
Hernandez, *In re* [43,689] 684
Benefits/Reduction/Retroactive Benefits
Horowitz v. Perales [44,196] 1318
Deductions
Willis v. Bowen [43,693] 682
Disability Benefits/Delay in Processing
Blankenship v. Secretary of HHS [15,795] 1199, 1309
Disability Benefits/Denial
A., M., *In re* [43,684] 683
Dawkins v. Bowen 540
Gonzalez v. Bowen [42,747] 682
Vanderpool v. Cowherd [43,649] 525
Burkhart v. Bowen 841

Disability Benefits/Eligibility
Fedde v. Bowen [44,121] 1171
Marcus v. Bowen [38,704] 816
Ogden v. Bowen 93
Disability Benefits/Eligibility/Alcoholism
Gibson v. Bowen [43,622] 525
Henderson v. North Carolina Dep't of Human Resources 1200
Nelson v. Bowen [43,789] 814
Oliver v. Bowen [41,498] 162
Disability Benefits/Eligibility/Availability for Other Work
Morris v. Bowen 1453
Disability Benefits/Eligibility/Cessation of Disabilities
Dominick v. Bowen 1332
Disability Benefits/Eligibility/Drug Addiction
Nelson v. Bowen [43,789] 814
Disability Benefits/Eligibility/Failure to Rehabilitate
McCall v. Bowen 544
Disability Benefits/Eligibility/Headaches
Miyoshi v. Bowen 1199
Disability Benefits/Eligibility/Medical-Vocational Guidelines
Flynn v. Bowen [43,884] 814
Henderson v. North Carolina Dep't of Human Resources 1200
O., H., *In re* [43,456] 288
Polny v. Bowen 1453
Disability Benefits/Eligibility/Mental Disabilities
Benda v. Bowen 422
Houck v. Bowen [44,150] 1311
Williams v. Bowen 701
Young v. Bowen 1198
Disability Benefits/Eligibility/Method of Evaluation
Bailey v. Bowen [40,040] 1333
Claudio v. Bowen 841
Hose v. Bowen [43,405] 288
Miller v. Bowen [43,859] 815
Zebley v. Bowen [43,127] 679
Disability Benefits/Eligibility/Substantial Gainful Activity
M., *In re* [43,530] 408
Miller v. Bowen [43,859] 815
O., H., *In re* [43,456] 288
Smith v. Secretary of HHS [43,835] 817
Williams v. Bowen 1453
Disability Benefits/Evidence/Functional Capacity Assessment
Brown v. Bowen 422
Latimore v. Bowen [43,573] 524
Marcus v. Bowen [38,704] 816
Spence v. Bowen [43,542] 389
Valencia v. Bowen 841
Williams v. Bowen 701
Wilson v. Bowen 841
Disability Benefits/Evidence/Medical Evidence
M., *In re* [43,530] 408
Miyoshi v. Bowen 1199
O., H., *In re* [43,456] 288
Seales v. Bowen 544
Shappy v. Bowen [43,484] 407
Tirado v. Bowen 303
Disability Benefits/Evidence/Medical-Vocational Guidelines
Carter v. Bowen [43,988] 1168
Latimore v. Bowen [43,573] 524
Nelson v. Secretary of HHS 93
Walter v. Secretary of HHS [44,098] 1170
Disability Benefits/Evidence/New
A., M., *In re* [43,684] 683
Tirado v. Bowen 303
Disability Benefits/Evidence/Pain
Calandro v. Bowen 1200
Floyd v. Bowen [37,121] 74
Miller v. Bowen [43,859] 815
Williams v. Bowen 701
Disability Benefits/Evidence/Pain/Subjective
Dominick v. Bowen 1332
Fedde v. Bowen [44,121] 1171
Latimore v. Bowen [43,573] 524
Smith v. Bowen [43,316] 74
Disability Benefits/Evidence/Substantial
Benda v. Bowen 422
Brown v. Bowen 422
Carter v. Bowen [43,988] 1168
DiStefano v. Bowen 701
Johnson v. Bowen 1333
Klein v. Bowen 1333
Miyoshi v. Bowen 1199
Seales v. Bowen 544
Shappy v. Bowen [43,484] 407
Smith v. Bowen [43,316] 74
Williams v. Bowen 1453
Disability Benefits/Evidence/Treating Physician
Floyd v. Bowen [37,121] 74
George v. Bowen 842
Murdaugh v. Secretary of HHS 196
Nelson v. Secretary of HHS 93
Shappy v. Bowen [43,484] 407
Disability Benefits/Evidence/Vocational Expert Testimony
Marshall v. Bowen [44,219] 1310
Polny v. Bowen 1453
Disability Benefits/Hearings/Burden of Proof
Quick, *In re* [43,279] 75
Disability Benefits/Hearings/Medical-Vocational Guidelines
DiStefano v. Bowen 701
Disability Benefits/Hearings/Presence at Hearing
B., M., *In re* [43,438] 288
Disability Benefits/Hearings/Presence at Hearing/Waiver
Stoner v. Secretary of HHS 196

Disability Benefits/Hearings/Responsibilities of ALJ
Cameron v. Bowen 422
Murdaugh v. Secretary of HHS 196
Nelson v. Bowen [43,789] 814
Smith v. Bowen [43,316] 74
Disability Benefits/Hearings/Unrepresented Claimant
Cameron v. Bowen 422
Young v. Bowen 1198
Disability Benefits/Medical-Vocational Guidelines
Carter v. Bowen [43,988] 1168
Polny v. Bowen 1453
Whittington v. Bowen 1453
Williams v. Bowen 1453
Disability Benefits/Mental Disabilities
Hose v. Bowen [43,405] 288
Disability Benefits/Mental Disabilities/Concentration and Persistence
Benda v. Bowen 422
Disability Benefits/Mental Disabilities/Social Interaction
Benda v. Bowen 422
Disability Benefits/Overpayments/Recoupment/Waiver
Everhart v. Bowen [43,697] 680
Flynn v. Bowen [43,884] 814
Morency v. Bowen 93
Webb v. Bowen [43,708] 680
Disability Benefits/Prompt Processing
Villa Morales v. Bowen [44,246] 1437
Disability Benefits/Psychiatric Examinations
Benda v. Bowen 422
Disability Benefits/Termination
Vanderpool v. Cowherd [43,649] 525
Disabled Children's Benefits
B., M., *In re* [43,438] 288
McGill v. Flaherty [43,538] 409
Disabled Children's Benefits/Eligibility
Cruz, *In re* [43,356] 182
Duncan v. Bowen [44,258] 1437
Foster, *In re* [43,617] 526
Hernandez v. Bowen [43,769] 682
Houck v. Bowen [44,150] 1311
Trostel v. Bowen [43,759] 818
Disabled Children's Benefits/Standards
Duncan v. Bowen [44,258] 1437
Houck v. Bowen [44,150] 1311
Zebley v. Bowen [43,127] 679
Eligibility
Doe, *In re* [43,688] 819
Smith v. Secretary of HHS [43,835] 817
Tabib, *In re* [43,692] 684
Eligibility/Burden of Proof
Yang v. Bowen [43,694] 681
Eligibility/Denial
Martin v. Bowen [43,401] 287, 407, 1168
Vipperman, *In re* [43,404] 182
Eligibility/Financial Requirements
Sprandel v. Secretary of HHS [41,520] 196
Evidence
Doe, *In re* [43,688] 819
Evidence/Functional Capacity Assessment
Latimore v. Bowen [43,573] 524
Evidence/Medical-Vocational Guidelines
Latimore v. Bowen [43,573] 524
Evidence/Pain/Subjective
Latimore v. Bowen [43,573] 524
Hearings
Wallace v. Bowen 840
Hearings/Appearance
B., M., *In re* [43,438] 288
Hearings/Due Process
Cameron v. Bowen 422
Income/Determination
Farley v. Bowen [43,480] 407
Goodrich v. Bowen [43,572] 524
Jenkins v. Bowen [43,698] 681
Kinney v. Bowen [43,263] 75
Martin v. Bowen [43,401] 287, 407, 1168
Income/Determination/Deemed Income
Munoz v. Bowen [43,870] 816
Paxton v. Secretary of HHS 841
Income/In-Kind/Rentals at Less Than Market Value
Beckless v. Bowen [43,695] 681
Income/Limitations
Martin v. Bowen [43,401] 287, 407, 1168
Medicaid Eligibility
Darling v. Bowen [42,592] 275, 540
Lane v. Commissioner of Maine Dep't of Human Servs. [43,154] 513
Medicaid Eligibility/Termination
Clarkson v. Atkins [44,271] 1428
Overpayments
Smith v. Secretary of HHS [43,835] 817
Overpayments/Determination
Ahrens v. Bowen [32,735] 700
Ramirez, *In re* [43,744] 684
Overpayments/Excess Resources
Ross, *In re* [43,477] 289
Overpayments/Recoupment
Reed v. Bowen [33,793] 538
Williams v. Patterson [42,536] 1144, 1425
Overpayments/Recoupment/Waiver
Ahrens v. Bowen [32,735] 700
Everhart v. Bowen [43,697] 680
Looney v. Bowen [44,231] 1436
Ross, *In re* [43,477] 289
Webb v. Bowen [43,708] 680
Overpayments/Recoupment/Without Fault Standard
Ramirez, *In re* [43,744] 684
Ross, *In re* [43,477] 289
Regulations
Sprandel v. Secretary of HHS [41,520] 196

Representative Payee
Briggs v. Bowen [44,289] 1437
Quick, *In re* [43,279] 75
Underpayments
Everhart v. Bowen [43,697] 680
Webb v. Bowen [43,708] 680

TAXES

Collection
City of Detroit v. Mooring [44,073] 1173
Exemptions/Nonprofit Organizations
IRS Ruling on Legislative and Political Activities of Exempt Organizations (GCM 39694), *In re* [43,796] 1173
Income Taxes/Refund Intercept
Guthmiller v. North Dakota Dep't of Human Servs. 414
Thomas v. Bennett [42,340] 779
Wagner v. Duffy 1444
Liens
Schmit v. United States 692
Lobbying/Judicial Nominations
IRS Ruling on Legislative and Political Activities of Exempt Organizations (GCM 39694), *In re* [43,796] 1173
Property Taxes
City of Detroit v. Mooring [44,073] 1173
Crociata v. New York State Tax Comm'n [44,033] 1172
Reductions/Low-Income Persons
Crociata v. New York State Tax Comm'n [44,033] 1172
Reductions/Senior Citizens
Crociata v. New York State Tax Comm'n [44,033] 1172
Tax Sales
Robinson v. Sarisky [43,282] 65

TRUTH IN LENDING

See also CONSUMER
Bait and Switch
Community Bank of Greater Peoria v. Love [44,281] 1422
Class Actions
Community Bank of Greater Peoria v. Love [44,281] 1422
Creditor/Liability
Yates v. Goldome Credit Corp. [44,186] 1291
Disclosure
Anderson v. KP's Auto World [43,260] 56
Evans v. Chrysler First Consumer Discount Co. [43,983] 1135
Smigelsky v. Barnett Bank of Cent. Fla. 832
Disclosure/Annual Percentage Rate
Schmidt v. Citibank 85
Disclosure/Finance Charges
Frazee v. Seaview Toyota Pontiac, Inc. 1190
Disclosure/Right to Rescind
Jenkins v. Landmark Mortgage Corp. of Va. [44,124] 1134
Norm's Heating & Air Conditioning v. Payne [44,168] 1290
Exemptions
Aurora Firefighter's Credit Union v. Harvey 86
Finance Charges
Smigelsky v. Barnett Bank of Cent. Fla. 832
Finance Charges/Hidden Charges
Frazee v. Seaview Toyota Pontiac, Inc. 1190
Refinancing
Westhampton Mortgage Co. v. Keys [43,389] 165
Regulation Z
Frazee v. Seaview Toyota Pontiac, Inc. 1190
Robinson v. E-Z Rentals [43,616] 505
Rental Agreements
Chrysler Credit Corp. v. Howard [43,687] 661
Rental Agreements/Purchase Options/ Disclosure
Atchley v. Consumer Lease Network [43,822] 782
Rescission
Norm's Heating & Air Conditioning v. Payne [44,168] 1290
Westhampton Mortgage Co. v. Keys [43,389] 165
Rescission/Home Improvement Loans
Insured Fin. Acceptance v. Hill [44,268] 1422
Jetton v. Caughron [43,765] 780
Jiminez v. The Dartmouth Plan [44,282] 1422
Rescission/Notice of Right
Jenkins v. Landmark Mortgage Corp. of Va. [44,124] 1134
Jetton v. Caughron [43,765] 780
Statute of Limitations/Continuing Violations
Schmidt v. Citibank 85
Statute of Limitations/Rescission
Jenkins v. Landmark Mortgage Corp. of Va. [44,124] 1134
Jetton v. Caughron [43,765] 780

UNEMPLOYMENT COMPENSATION

Administrative Procedures
Bellan v. Illinois Dep't of Employment Sec. 423
Holz v. South Dakota Dep't of Labor [43,727] 698, 1175
Toney v. Whitfield 1453

Aliens
Arteaga v. Industrial Claim Appeals Office [38,764] 289
Sandoval v. Colorado Div. of Employment [43,463] 289, 702

Appeals
Littler v. South Dakota Dep't of Labor [43,726] 659
Sprague Elec. v. Maine Unemployment Ins. Comm'n [43,592] 526

Appeals/Constitutionality of Procedures
Toney v. Whitfield 1453

Appeals/Constitutionality of Procedures/De Novo Review
Ross, *In re* [43,457] 288

Appeals/Jurisdictional Defects
Kirk v. Department of Indus. Relations 304
Perrine v. South Dakota Dep't of Labor 1200

Appeals/Notices
Perrine v. South Dakota Dep't of Labor 1200

Appeals/Prompt Processing
Arteaga v. Industrial Claim Appeals Office [38,764] 289

Appeals/Suspension of Benefits Pending Appeal
Bellan v. Illinois Dep't of Employment Sec. 423

Benefits
City & County of Denver v. Industrial Comm'n 545

Benefits/Amount
Barton v. Steinbacher [44,201] 1311

Benefits/Computation
Barton v. Steinbacher [44,201] 1311
Sharp v. Union Carbide Corp. 843

Benefits/Denial
Employment Div., Or. Dep't of Human Resources v. Smith 197
Fernacz v. Pennsylvania Unemployment Compensation Bd. of Review 843
Garrens v. Tennessee Dep't of Employment Sec. [43,539] 409
Johnson, *In re* [43,607] 527
McKinney v. Pennsylvania Unemployment Compensation Bd. of Review 702
Strichko v. Pennsylvania Unemployment Compensation Bd. of Review 1200

Benefits/Discrimination
Hiltebeitel v. Pennsylvania Unemployment Compensation Bd. of Review 1454

Benefits/Duration
Hodgkins, *In re* [43,899] 1176

Benefits/Extended Compensation
Cosby v. Ward [34,728] 183, 304

Benefits/Reduction
Green v. Industrial Claim Appeals Office 1453
Sharp v. Union Carbide Corp. 843

Benefits/Reimbursement
Teitell v. Pennsylvania Unemployment Compensation Bd. of Review 843

Benefits/Setoffs
Green v. Industrial Claim Appeals Office 1453

Benefits/Setoffs/Pensions
Westinghouse v. Pennsylvania Unemployment Compensation Bd. of Review 1200

Disqualification
Holz v. South Dakota Dep't of Labor [43,727] 698, 1175
Storey v. Meijer, Inc. [42,660] 787

Disqualification/Denial Period
Josey v. Employment Sec. Comm'n of N.C. 423

Disqualification/Failure to Accept Work
Teitell v. Pennsylvania Unemployment Compensation Bd. of Review 843

Disqualification/Insubordination
Maines v. Pennsylvania Unemployment Compensation Bd. of Review [43,313] 77

Disqualification/Misconduct
City & County of Denver v. Industrial Comm'n 545
Daniels v. St. Petersburg Episcopal Community, Inc. [44,248] 1440
Glenn v. Florida Unemployment Appeals Comm'n 93
Gray, *In re* [43,885] 821
Heins v. Pennsylvania Unemployment Compensation Bd. of Review 94
Hiltebeitel v. Pennsylvania Unemployment Compensation Bd. of Review 1454
Holiday Inn v. Decker [43,320] 77
Israel v. Virginia Employment Comm'n [44,081] 1174
James River Corp. v. Employment Div. 1454
Jordan v. Pennsylvania Unemployment Compensation Bd. of Review 1200
McKinney v. Pennsylvania Unemployment Compensation Bd. of Review 702
Pesce v. Board of Review, Dep't of Employment Sec. [43,367] 184
Pierce v. Iowa Dep't of Job Serv. 843
Smith v. Employment Div. [43,961] 1165
Sparks v. Indiana Dep't of Employment & Training Serv. 1454

Disqualification/Misconduct/Absenteeism
Besaw v. Board of Review of W. Va. Dep't of Employment Sec. [43,686] 685
Bochenek v. Illinois Dep't of Employment Sec. 843

Disqualification/Misconduct/Commission of a Felony
Employment Div., Or. Dep't of Human Resources v. Smith 197
Horsefield v. Unemployment Compensation Bd. of Review 94

Disqualification/Misconduct/False Statements
Pope v. Whitfield 424
Ross, *In re* [43,457] 288
Disqualification/Misconduct/Falsified Application
Rose, *In re* [43,614] 527
Disqualification/Misconduct/Polygraph Tests
Vaughan v. Shop & Go 545
Disqualification/Misconduct/Rule Violation
Baxter v. Bowman Gray School of Medicine [43,298] 78
Garrens v. Tennessee Dep't of Employment Sec. [43,539] 409
Johnson, *In re* [43,607] 527
Lopez v. Ward [44,065] 1174
Rabago, *In re* [43,888] 822
Traughber v. Master Care/Contract [43,315] 77
Disqualification/Misconduct/Tardiness
Bochenek v. Illinois Dep't of Employment Sec. 843
Brister v. Whitfield 424
Turner, *In re* [43,612] 528
Disqualification/Remuneration
Green v. Industrial Claim Appeals Office 1453
Disqualification/Voluntarily Leaving Without Good Cause
Bailey v. Kentucky Unemployment Ins. Comm'n [43,558] 408, 1174
Barnes v. Singer Co. 545
Bonds v. Whitfield 1200
Brandon v. Labor & Indus. Relations Comm'n 1454
Fernacz v. Pennsylvania Unemployment Compensation Bd. of Review 843
Finik v. Illinois Dep't of Employment Sec. 545
Glenn v. Florida Unemployment Appeals Comm'n 93
Hawthorne v. Universal Studios, Inc. 1454
Jacobson v. Employment Appeal Bd. [43,984] 1175
Jensen v. Siemsen [44,283] 1439
Lopez, *In re* [43,887] 821
Minor v. Turner Indus. [44,221] 1311
Munguia v. Arizona Dep't of Economic Sec. [44,262] 1439
Rasdall v. Kentucky Unemployment Ins. Comm'n [44,063] 1175
Walker v. Gatson 843
Welch v. Iowa Dep't of Emp. Servs. [43,345] 184
Wetterhahn v. Kim Co. 1333
Zulauf v. Florida Unemployment Appeals Comm'n 1454
Eligibility
Arteaga v. Industrial Claim Appeals Office [38,764] 289
Global Home Care v. Florida Dep't of Labor & Employment Sec. 304
Green v. Industrial Claim Appeals Office 1453
Turner, *In re* [43,612] 528
Eligibility/Adjustment of Hours
Couch v. North Carolina Employment Sec. Comm'n [43,357] 185
Shufelt v. Department of Employment 93
Eligibility/Available for Full-Time Work
G., *In re* [43,718] 686
McNeil v. Employment Sec. Comm'n of N.C. 304
Eligibility/Available for Full-Time Work/Job Search/Sufficiency
McKenzie v. Department of Pub. Safety & Corrections [43,816] 821
Eligibility/Covered Employment
Beers v. Pennsylvania Unemployment Compensation Bd. of Review [43,981] 1173
Bennett v. Illinois Dep't of Employment Sec. 1333
Eligibility/Discharge
Bailey v. Kentucky Unemployment Ins. Comm'n [43,558] 408, 1174
Baxter v. Bowman Gray School of Medicine [43,298] 78
City & County of Denver v. Industrial Comm'n 545
Gray, *In re* [43,885] 821
Israel v. Virginia Employment Comm'n [44,081] 1174
Lopez v. Ward [44,065] 1174
Northern Serv. Center, Inc. v. Illinois Dep't of Employment Sec. 424
Swanson v. Idaho 842
Traughber v. Master Care/Contract [43,315] 77
Eligibility/Discharge/Good Cause
Daniels v. St. Petersburg Episcopal Community, Inc. [44,248] 1440
Morrison v. Steinbacher [43,393] 183
Pierce v. Iowa Dep't of Job Serv. 843
Rabago, *In re* [43,888] 822
Sparks v. Indiana Dep't of Employment & Training Serv. 1454
Eligibility/Labor Disputes
Plymouth Stamping v. Lipshu 545
Tuffey, *In re* [43,442] 290
Eligibility/Pregnant Claimants
McKenzie v. Department of Pub. Safety & Corrections [43,816] 821
Eligibility/Refusal to Accept Employment/ Good Cause
Rasdall v. Kentucky Unemployment Ins. Comm'n [44,063] 1175
Eligibility/Registration Requirements
Strichko v. Pennsylvania Unemployment Compensation Bd. of Review 1200
Eligibility/Reporting Requirements
Holz v. South Dakota Dep't of Labor [43,727] 698, 1175
Eligibility/Search for Work
Cosby v. Ward [34,728] 183, 304
McKenzie v. Department of Pub. Safety & Corrections [43,816] 821
Eligibility/Seasonal Laborer
Beers v. Pennsylvania Unemployment Compensation Bd. of Review [43,981] 1173
Elsey v. Louisiana Dep't of Employment Sec. 94

Knouse Foods Coop., Inc. v. Pennsylvania Unemployment Compensation Bd. of Review 302
Parker v. Pennsylvania Dep't of Labor & Indus. [42,419] 184

Eligibility/Self-Employed Workers
Jordan v. Pennsylvania Unemployment Compensation Bd. of Review 1200

Eligibility/Standards
Sandoval v. Colorado Div. of Employment [43,463] 289, 702

Eligibility/Veterans/Undesirable Discharges
Rose, *In re* [43,614] 527

Eligibility/Voluntarily Leaving
Bonds v. Whitfield 1200
Maines v. Pennsylvania Unemployment Compensation Bd. of Review [43,313] 77
Swanson v. Idaho 842

Eligibility/Voluntarily Leaving/Good Cause
Guillory v. Louisiana Office of Employment Sec. 545
McAlister v. Missouri Div. of Employment Sec. 304
Myers v. Pennsylvania Unemployment Compensation Bd. of Review [43,716] 685
Peckham, *In re* [43,265] 78
Seaberry v. W.T. Bridgers Contract Labor 1200
Welch v. Iowa Dep't of Emp. Servs. [43,345] 184

Eligibility/Voluntarily Leaving/Good Cause/ Change in Terms of Employment
Bailey v. Kentucky Unemployment Ins. Comm'n [43,558] 408, 1174
Broadus v. Pennsylvania Unemployment Compensation Bd. of Review 843
Couch v. North Carolina Employment Sec. Comm'n [43,357] 185
Munguia v. Arizona Dep't of Economic Sec. [44,262] 1439
Rasdall v. Kentucky Unemployment Ins. Comm'n [44,063] 1175
Shufelt v. Department of Employment 93
Sprague Elec. v. Maine Unemployment Ins. Comm'n [43,592] 526
York v. Pennsylvania Unemployment Compensation Bd. of Review [43,717] 685

Eligibility/Voluntarily Leaving/Good Cause/ Domestic Problems
Cobb v. City of Newport News [43,989] 1176

Eligibility/Voluntarily Leaving/Good Cause/ Fault of Employer
Hawthorne v. Universal Studios, Inc. 1454
Walker v. Gatson 843
Wetterhahn v. Kim Co. 1333
York v. Pennsylvania Unemployment Compensation Bd. of Review [43,717] 685

Eligibility/Voluntarily Leaving/Good Cause/ Leaving to Accept Other Employment
Brandon v. Labor & Indus. Relations Comm'n 1454
Elsey v. Louisiana Dep't of Employment Sec. 94
Minor v. Turner Indus. [44,221] 1311

Eligibility/Voluntarily Leaving/Good Cause/ Liberal Construction
Jacobson v. Employment Appeal Bd. [43,984] 1175
Munguia v. Arizona Dep't of Economic Sec. [44,262] 1439

Eligibility/Voluntarily Leaving/Good Cause/ Religious Beliefs
Holiday Inn v. Decker [43,320] 77

Eligibility/Voluntarily Leaving/Good Cause/ Sexual Advances
Jensen v. Siemsen [44,283] 1439

Hearings
Brown v. South Carolina Employment Sec. Comm'n [43,304] 76
Garrens v. Tennessee Dep't of Employment Sec. [43,539] 409
Kelly v. Lopeman [41,535] 197

Hearings/Examination of Files
Halpin v. Florida Unemployment Appeals Comm'n 93

Hearings/Full and Impartial
Sparks v. Indiana Dep't of Employment & Training Serv. 1454

Hearings/Interpreter
Lopez, *In re* [43,887] 821

Hearings/Lay Advocates
Angell v. Board of Review of Indus. Comm'n [43,261] 76

Hearings/Notices
Cosby v. Ward [34,728] 183, 304

Hearings/Presumptions
James River Corp. v. Employment Div. 1454
McKenzie v. Department of Pub. Safety & Corrections [43,816] 821

Hearings/Reopening
Morrison v. Steinbacher [43,393] 183

Hearings/Representation
Angell v. Board of Review of Indus. Comm'n [43,261] 76
Cowfer v. Pennsylvania Unemployment Compensation Bd. of Review 94

Interstate Claims
Welch v. Iowa Dep't of Emp. Servs. [43,345] 184

Prompt Processing
Toney v. Whitfield 1453

Recoupment
Teitell v. Pennsylvania Unemployment Compensation Bd. of Review 843

Recoupment/Absence of Fraud
Minor v. Turner Indus. [44,221] 1311

Recoupment/Overpayments/Equity and Good Conscience
G., *In re* [43,718] 686

Trade Readjustment Assistance Act/Eligibility
Hodgkins, *In re* [43,899] 1176
Tuffey, *In re* [43,442] 290
Tyler v. Fitzsimmons [43,876] 820

Trade Readjustment Assistance Act/ Job Training
Hodgkins, *In re* [43,899] 1176

UNIONS

See EMPLOYMENT, EMPLOYMENT DISCRIMINATION

URBAN RENEWAL

See also HOUSING, RELOCATION

Discrimination
Akpan v. Koch [43,283] 66
Houston v. City of Cocoa [44,272] 1429

Low-Income Housing
Anguita v. Koch [43,998] 1155

Low-Income Housing/Exclusion
Akpan v. Koch [43,283] 66

Redevelopment Projects
Anguita v. Koch [43,998] 1155

VETERANS

See MILITARY

WELFARE

See also AID TO FAMILIES WITH DEPENDENT CHILDREN, FOOD PROGRAMS, MEDICAID, MEDICAL ASSISTANCE PROGRAMS, SOCIAL SECURITY PROGRAMS, SUPPLEMENTAL SECURITY INCOME

Harper v. Greely [43,746] 662, 1140

Adequacy of Benefits
Welfare Rights Org. v. County of Humboldt [44,138] 1182

Administration
Agee v. Duffy [34,816] 686, 823
Peppers v. Barry [16,334] 775

Administration/Correction of Agency Error
Jackson v. Grinker [42,988] 1314

Administration/Correction of Agency Error/Prompt Processing
Deas v. Dempsey [36,043] 1329

Administration/County Lack of Funds
Board of Supervisors of Los Angeles v. Superior Court [43,752] 675, 1163, 1436

Administration/Hearings
Detroit Base Coalition for Human Rights v. Dep't of Social Servs. [37,560] 1201

Administration/Mismanagement of Grants
United States *ex rel.* Aslanian v. Deukmejian [44,261] 1435

Administration/Promulgation of Rules and Regulations
Adams v. Colorado Dep't of Social Servs. [43,865] 827
Esquivel v. McMahon [44,171] 1316
Waddell, *In re* [44,228] 1435

Administration/Promulgation of Rules and Regulations/Notice
Cha Lor v. Bowen [44,032] 1179

Administration/Revision of Programs
Jackson v. Grinker [42,988] 1314

Administration/Rulemaking
Newkirk v. Clark County Social Serv. Dep't [43,850] 828
Petitions for Rulemaking N.J.A.C. 10:82-1.2 & 10:85-4.1, *In re* [43,465] 291
Westbrook v. Commissioner of Dep't of Human Servs. 424

Administration/State-County Relations/ Lack of Funding
Board of Supervisors of Los Angeles v. Superior Court [43,752] 675, 1163, 1436

Alcoholics/Eligibility
Bedford v. Sugarman [42,960] 688

Assets/Exemptions/Savings
Two Uniform Gift to Minor Accounts, *In re* [43,993] 1181

Assets/Transfer
Edwards, *In re* [44,057] 1186

Available Income
Ruiz, *In re* [43,615] 533
Taglieri v. Rubin [44,264] 1441

Benefits/Levels
Guidotti v. County of Yolo [40,727] 80
Heschke v. County of Sheboygan [44,211] 1320

Child Support
Acosta v. Atkins [36,033] 1178
Agee v. Duffy [34,816] 686, 823
Tomas v. Tomas 1445
Young v. Riley [43,485] 410

Child Support/Collection
Bennett v. White [27,044] 505, 1132, 1313
Esquivel v. McMahon [44,171] 1316
Hickey v. Duffy [43,031] 1182
Iowa v. Fink 1446
Maine Dep't of Human Servs. v. Merrill Trust Co. [43,963] 1183
Monmouth County Bd. of Social Serv. v. Lohman 1454
Sampson County *ex rel.* McPherson v. Stevens 1191

Child Support/Collection/Assignment
Walters v. Ginsberg [44,054] 1177

Child Welfare Services
Waddell, *In re* [44,228] 1435

Chore Services Grant
King v. North Carolina Dep't of Human Resources [43,842] 826

Computation
Turner v. Perales [41,234] 1312

Drug Addicts/Eligibility
Bedford v. Sugarman [42,960] 688

Eligibility
Adams v. Colorado Dep't of Social Servs. [43,865] 827

Eligibility/Conditional
Bedford v. Sugarman [42,960] 688
Eligibility/Redetermination
Cha Lor v. Bowen [44,032] 1179
Rodriguez, *In re* [43,428] 294
Emergency Assistance/AFDC Recipients
Franklin v. New Jersey Dep't of Human Servs. [43,608] 516
Vingara v. Borough of Wrightstown [42,795] 281
Emergency Assistance/Liens on Home
James, *In re* [44,072] 1186
Emergency Assistance/Restrictive Interpretation
James, *In re* [44,072] 1186
Emergency Assistance/Termination
Williams v. Department of Human Servs. 1455
Fraud/Restitution
Davenport v. Pennsylvania Dep't of Pub. Welfare [43,294] 54, 657
Pennsylvania Dep't of Pub. Welfare v. Johnson-Allen [42,156] 504
General Assistance/Benefit Levels
Breaux, *In re* [43,643] 531
Guidotti v. County of Yolo [40,727] 80
Heschke v. County of Sheboygan [44,211] 1320
Teasley v. Board of Supervisors of Orange County [43,422] 276
Welfare Rights Org. v. County of Humboldt [44,138] 1182
Westbrook v. Commissioner of Dep't of Human Servs. 424
General Assistance/Cost-of-Living Increases/Duty to Provide
Teasley v. Board of Supervisors of Orange County [43,422] 276
General Assistance/Eligibility/Childless Couple
Newkirk v. Clark County Social Serv. Dep't [43,850] 828
General Assistance/Eligibility/Conditions
Mammenga v. Minnesota Dep't of Human Servs. ... 1201
General Assistance/Eligibility/Due Process
Newkirk v. Clark County Social Serv. Dep't [43,850] 828
Rosales v. County of Yolo [42,418] 292
General Assistance/Eligibility/ Employable Persons
Newkirk v. Clark County Social Serv. Dep't [43,850] 828
General Assistance/Eligibility/ Rehabilitation Programs
Diamond v. Perales [43,713] 688
General Assistance/Eligibility/ Residency Requirements
Blanco v. Contra Costa County [43,618] 531, 1181
Gray, *In re* [43,431] 293
General Assistance/Eligibility/ Sanctions
Rosales v. County of Yolo [42,418] 292
General Assistance/Eligibility/Standards
Edwards, *In re* [44,057] 1186
Hadaller v. Shinpoch [43,747] 688
Hart v. McMahon [42,138] 292
General Assistance/Eligibility/ Statewide Uniformity
Hart v. McMahon [42,138] 292
General Assistance/Eligibility/ Students Beyond Secondary Level
Yanushko v. Pennsylvania Dep't of Pub. Welfare 702
General Assistance/Eligibility/ Work Requirements
Illinois Welfare Rights Movement Org. v. Duffy [44,097] 1178
General Assistance/Employable Persons
Ellsworth v. Babcock [43,793] 823
Newkirk v. Clark County Social Serv. Dep't [43,850] 828
General Assistance/Grant Levels
Breaux, *In re* [43,643] 531
Washington State Coalition for the Homeless v. Sugarman [44,223] 1320
General Assistance/Income
Ruiz, *In re* [43,615] 533
General Assistance/Recoupment/ Overpayments
Taglieri v. Rubin [44,264] 1441
General Assistance/Reduction
Welfare Rights Org. v. County of Humboldt [44,138] 1182
General Assistance/Residency Requirements
Jones v. Milwaukee County [44,197] 1320, 1441
General Assistance/Resources
Bolduc v. City of Lewiston [43,651] 531, 1183
Edwards, *In re* [44,057] 1186
General Assistance/Shelter Allowance/ Free Shelters
Washington State Coalition for the Homeless v. Sugarman [44,223] 1320
General Assistance/Shelter Allowance/Temporary Shelter Assistance
Williams v. Department of Human Servs. 1455
General Assistance/Termination/Basis
Hanks v. Department of Social Servs. [43,732] 687
General Assistance/Unemployables
Hadaller v. Shinpoch [43,747] 688
General Assistance/Work Requirements
Illinois Welfare Rights Movement Org. v. Duffy [44,097] 1178
Stewart v. County of Butte [38,577] 291
General Assistance/Work Requirements/Standards
Ellsworth v. Babcock [43,793] 823
Hearings/Fair Hearing Procedures
Waddell, *In re* [44,228] 1435
Hearings/Notice
Rodriguez, *In re* [43,428] 294

Hearings/Representation
Alexander v. Department of Human Servs. 1454
Hearings/Telephone Hearings
Detroit Base Coalition for Human Rights v. Dep't of Social Servs. [37,560] 1201
Home Care Allowance
Adams v. Colorado Dep't of Social Servs. [43,865] 827
Home Relief/Assets/Lodger's Income
Diamond v. Perales [43,713] 688
Home Relief/Work Requirements/Refusal of Employment
S., Charles, *In re* [43,821] 828
Housing
Town of Brookhaven v. Marian Chun Enters. [43,639] 658
White Plains v. Universal Motor Lodges [43,852] 803
Income Disregards
Scalio v. Income Maintenance Admin. [43,875] 827, 1318
Income Disregards/Loans
Andrade v. Bowen [44,071] 1177
Mangrum v. Griepentrog [44,128] 1179
Lump Sum Payments
Hanks v. Department of Social Servs. [43,732] 687
Man-in-the-House
McDaniel v. Washington State Dep't of Social & Health Servs. [43,475] 292
Overpayments/Recoupment/ Administrative Error
Taglieri v. Rubin [44,264] 1441
Recoupment
Garcia v. Colorado Dep't. of Social Servs. 1454
Horowitz v. Perales [44,196] 1318
Lara v. County of Yolo 1445
Relative Responsibility
Nicollet County v. Larson 414
Rent Supplement
Deas v. Dempsey [36,043] 1329
Residency Requirements
Gray, *In re* [43,431] 293
Jones v. Milwaukee County [44,197] 1320, 1441
Right to Counsel
Alexander v. Department of Human Servs. 1454
Shelter Allowance
Luiz v. Bowen [43,264] 79
Shelter Allowance/Adequacy
Jiggetts v. Grinker [43,124] 1180
Shelter Allowance/Free Shelters
Washington State Coalition for the Homeless v. Sugarman [44,223] 1320
Shelter Allowance/Maximum Allowance
Sharp v. Perales [44,204] 1319
Williams v. Department of Human Servs. 1455
Shelter Allowance/Restrictions
Romero v. Department of Social Serv. 702
Shelter Allowance/Terminations
Romero v. Department of Social Serv. 702
Shelter Allowance/Terminations/Due Process
Lester v. Westchester County Dep't of Social Servs. [43,343] 186, 531
Standard of Need
Heschke v. County of Sheboygan [44,211] 1320
Petitions for Rulemaking N.J.A.C. 10:82-1.2 & 10:85-4.1, *In re* [43,465] 291
Termination
King v. North Carolina Dep't of Human Resources [43,842] 826
Title XX
King v. North Carolina Dep't of Human Resources [43,842] 826
Utility Grants
Horowitz v. Perales [44,196] 1318
Utility Grants/Energy Assistance
DeAllaume v. Perales 1452
Work Incentive Program
Atkinson v. Department of Health & Rehabilitative Servs. [44,218] 1321
Work Incentive Program/Sanctions
Boettger v. Bowen [42,866] 687
Work Requirements
Atkinson v. Department of Health & Rehabilitative Servs. [44,218] 1321
Ellsworth v. Babcock [43,793] 823
Gaspard v. Adult & Family Serv. Div. 1455
Illinois Welfare Rights Movement Org. v. Duffy [44,097] 1178
S., Charles, *In re* [43,821] 828

WOMEN'S RIGHTS

Abuse Statutes
Powell v. Powell 1190
Battered Women
Vir v. Weaver [43,957] 1138
Battered Women/Access to Courts
Carney v. Pankey [43,439] 270
Mengel v. Collins [43,768] 662
Battered Women/Legal Options
Powell v. Powell 1190
Battered Women/Personal Injury Action/ Against Spouse
Smith v. Smith 1324
Reproductive Rights
C., A., *In re* 89
Illinois v. Jihan [42,991] 667
Reproductive Rights/Abortion/ Medicaid
Urbish v. Lamm 1195
Reproductive Rights/Abortion/ Restrictions
LSC Opinion Re Abortion Litigation, *In re* [43,891] 1130
Massachusetts v. Bowen 192

Reproductive Rights/Contraceptives/ Restrictions
Arneth v. Gross 1329
Sexual Harassment
Chicago Women in Trades v. Walsh Constr. [43,795] 787
Favors v. ALCO Mfg. Co. 298
Grieger v. Sheets 697
Tunis v. Corning Glass Works 1327

WORKER'S COMPENSATION

S.G. Borello & Sons v. California Dep't of Indus. Relations [43,751] 677
Appeals
Sheppard v. Deukmejian [43,667] 508
Benefit Levels
Watson v. Seekins 1200
Eligibility
Adams v. Prince William County School Bd. [43,397] 167
Tommy Nobis Center v. Barfield 835
Proceedings to Secure Compensation
Adams v. Prince William County School Bd. [43,397] 167
Kendall v. Brock [44,126] 1142
Sheppard v. Deukmejian [43,667] 508
Watson v. Seekins 1200

ZONING

Discrimination
Houston v. City of Cocoa [44,272] 1429
Minimum Space Requirements
New Jersey v. Squires [42,873] 672
Ordinances
Asian Am. for Equality v. Koch 836
Ordinances/Single-Family Zone
Summers, *In re* 1449
Ordinances/Single-Family Zone/Resident's Members of Family
New Jersey v. Squires [42,873] 672

CASETABLE

This is an alphabetical listing by case name of cases that have appeared in the Clearinghouse Review *for the period covered by this index. The five-digit bracketed numbers are the Clearinghouse Numbers and must accompany all document reprint requests. The seven-digit numbers are the Accession Numbers (Acc. No.), identifying codes for materials in the LSC Data Base and in the Clearinghouse microfiche library. A case may have more than one Accession Number; new numbers are assigned to a case as new pleadings become available to the Clearinghouse. The LSC Data Base is available to legal services attorneys only. The Clearinghouse microfiche file is now available to non-LSC-funded attorneys; for more information, contact Bob Serafin at the Clearinghouse. Official citations to cases listed in the casetable are current as of mid-May 1989.*

—A—

A. v. California Dep't of Health Servs. [44,161]; Acc. No. 1011411
(Cal. Dep't of Health Servs. Sept. 27, 1988) 1301

A. v. Robinson [41,053]; Acc. No. 1011133
(E.D. La. Sept. 8, 1988) 807

A., Adoption of, *In re* [43,987]; Acc. No. 1011247
(Okla. Dist. Ct., Lincoln County, Aug. 26, 1988) ... 1138

A., Del v. Edwards [41,204]
855 F.2d 1148 (5th Cir. 1988) 1196

A., M., *In re* [43,684]; Acc. No. 1010986
(S.S.A., Office of Hearings & App., June 14, 1988) 683

A.P. Dev. Corp. v. Band
550 A.2d 1220 (N.J. 1988) 1450

Abdool-Rashaad v. Selter
690 F. Supp. 598 (S.D. Ohio 1987) 840

Abney v. District of Columbia [43,571]; Acc. No. 1010889
849 F.2d 1491 (D.C. Cir. 1988) 509

Abu-Sahyun v. Palo Alto Unified School Dist.
843 F.2d 1250 (9th Cir. 1988) 296

Acker, *In re*
696 F. Supp. 591 (N.D. Ala. 1988) 1189

Ackerman v. Western Elec. Co., Inc.
860 F.2d 1514 (9th Cir. 1988) 1193

Acosta v. Atkins [36,033]; Acc. No. 1011284
(D. Mass. Sept. 30, 1988) 1178

Acosta v. Hansen [44,244]; Acc. No. 1011468 1433

Acosta v. North Jersey Secretarial School [43,437]; Acc. No. 1010765
(N.J. Super. Ct., Hudson County, Feb. 10, 1988) 272

Action Alliance of Senior Citizens of Greater Philadelphia v. Bowen [34,403]; Acc. No. 1010816
846 F.2d 1449 (D.C. Cir. 1988) 266

Ad Hoc Hous. Coalition v. City of Long Beach [43,423]; Acc. No. 1010751 280

Adams, Marriage of, *In re*
528 N.E.2d 1075 (Ill. Ct. App. 1988) 1325

Adams v. Bennett
675 F. Supp. 668 (D.D.C. 1987) 84

Adams v. Colorado Dep't of Social Servs. [43,865]; Acc. No. 1011175
(Colo. Dist. Ct., Denver County, Oct. 4, 1988) 827

Adams v. Musolino [44,086]; Acc. No. 1011321
(W.D.N.Y. Oct. 6, 1988) 1167

Adams v. Prince William County School Bd. [43,397]; Acc. No. 1010739
(Va. Indus. Comm'n Oct. 15, 1987) 167

Adamson v. Bowen [38,531]; Acc. No. 1011125
855 F.2d 668 (10th Cir. 1988) 777

Addison v. Housing Auth. of Woonsocket [43,721]; Acc. Nos. 1011024, 1011497
(D.R.I. Jan. 25, 1989) 671, 1430

Adkins v. Martin
699 F. Supp. 1510 (W.D. Okla. 1988) 1452

AFL-CIO v. McLaughlin [44,217]; Acc. No. 1011449
(D.D.C. Jan. 5, 1989) 1305

Agcaoili v. Gustafson
844 F.2d 620 (9th Cir. 1988) 300

Agee v. Duffy [34,816]; Acc. Nos. 1011053, 1011190
(N.D. Ill. Sept. 1, 1988) 686, 823

Ahern v. Central Pac. Freight Lines
846 F.2d 47 (9th Cir. 1988) 412

Ahrens v. Bowen [32,735]
852 F.2d 49 (2d Cir. 1988) 700

Ajurulloski v. INS
688 F. Supp. 1272 (N.D. Ill. 1988) 696

Akpan v. Koch [43,283]; Acc. No. 1010616 66

Alabama v. Day
531 So. 2d 1244 (Ala. Civ. App. 1988) 1449

Alabama *ex rel.* Baker v. McCloud
517 So. 2d 7 (Ala. Civ. App. 1987) 84

Alaska v. Native Village of Venetie
856 F.2d 1384 (9th Cir. 1988) 838

Albert v. Carovano
851 F.2d 561 (2d Cir. 1988) 693

Albro v. County of Onondaga
677 F. Supp. 697 (N.D.N.Y. 1988) 91

Alcaraz v. Eu
861 F.2d 1101 (9th Cir. 1988) 1326

Alex v. Jasper Wyman & Son
682 F. Supp. 87 (D. Me. 1988) 302

Alexander v. Department of Human Servs.
550 A.2d 65 (Me. 1988) 1454

Allym v. Miles
679 F. Supp. 1 (W.D.N.Y. 1988) 195

All Mission Indian Hous. Auth. v. Silvas
680 F. Supp. 330 (C.D. Cal. 1987) 194

Allen v. Mansour [41,822]
681 F. Supp. 1232 (E.D. Mich. 1986) 299

Allen v. Secretary of HHS
837 F.2d 267 (6th Cir. 1988) 196

Allen v. United States Dep't of Agriculture, FHA
698 F. Supp. 669 (S.D. Miss. 1988) 1329

Alvarez v. Simmons Mkt. Research Bureau, Inc.
839 F.2d 930 (2d Cir. 1988) 191
Amax Coal Co. v. Burns
855 F.2d 499 (7th Cir. 1988) 835
American Ass'n of Retired Persons v. Farmers Group
700 F. Supp. 1052 (C.D. Cal. 1988) 1448
Americans Disabled for Accessible Pub. Transp. v. Burnley [43,230]; Acc. No. 1011510
867 F.2d 1471 (3d Cir. 1989) 1426
Americans Disabled for Accessible Pub. Transp. v. Metropolitan Transp. Auth. [44,247]; Acc. No. 1011469 1426
Amigo Chevrolet v. Lee [42,822]; Acc. No. 1011121
(Navajo Nation Sup. Ct. Aug. 4, 1988) 811
Anderson v. KP's Auto World [43,260]; Acc. No. 1010604
(M.D. Fla. Jan. 11, 1988) 56
Anderson v. Phillips Petroleum Co.
861 F.2d 631 (10th Cir. 1988) 1327
Anderson v. United States
845 F.2d 206 (9th Cir. 1988) 418
Andrade v. Bowen [44,071]; Acc. No. 1011303 1177
Andre, Custody of, *In re*
761 P.2d 809 (Mont. 1988) 1190
Andrea Lane Assocs. v. Brewer [43,640]; Acc. No. 1010957
(Me. Dist. Ct., Lincoln County, July 6, 1988) 517
Andrew v. Bowen
837 F.2d 875 (9th Cir. 1988) 188
Anetekhai v. INS
685 F. Supp. 599 (E.D. La. 1988) 542
Angell v. Board of Review of Indus. Comm'n [43,261]; Acc. No. 1010597
750 P.2d 611 (Utah Ct. App. 1988) 76
Angry Tenants Against Conversion v. Woodland Manor Assoc. [43,873]; Acc. No. 1011172 799
Anguita v. Koch [43,998]; Acc. No. 1011256 1155
Antkowiak v. Ambach [42,637]
838 F.2d 635 (2d Cir. 1988) 192
Apodaca v. County of Quay [43,448]; Acc. No. 1010777
(D.N.M. Mar. 29, 1988) 272
Aponte, *In re* [43,811]; Acc. No. 1011105 790
Appalachian Agency for Senior Citizens v. Ferguson [40,909]; Acc. No. 1011005 679
Aragon, Marriage of, *In re*
764 P.2d 419 (Colo. Ct. App. 1988) 1445
Arbogast v. Bowen
860 F.2d 1400 (7th Cir. 1988) 1199
Archuleta v. Goldman
761 P.2d 425 (N.M. Ct. App. 1987) 1198
Armstrong v. Norman [42,033]; Acc. No. 1010896
(S.D. Iowa Mar. 2, 1988) 512
Arneth v. Gross
699 F. Supp. 450 (S.D.N.Y. 1988) 1329
Arnold v. United States Postal Serv.
863 F.2d 994 (D.C. Cir. 1988) 1447
Arons v. New Jersey Bd. of Educ.
842 F.2d 58 (3d Cir. 1988) 188
Arsenault v. Commissioner of Me. Dep't of Human Servs. [43,641]; Acc. No. 1010950
(D. Me. June 10, 1988) 529
Arteaga v. Industrial Claim Appeals Office [38,764]; Acc. No. 1010785 289
Asher v. Bowen
837 F.2d 825 (8th Cir. 1988) 196
Asian Am. for Equality v. Koch
527 N.E.2d 265 (N.Y. 1988) 836
Atchinson v. Barry [44,155]; Acc. No. 1011435 1303
Atchley v. Consumer Lease Network [43,822]; Acc. No. 1011117
(Tenn. Ch. Ct., Davidson County, Jan. 7, 1988) 782
Athey v. Haines [44,077]; Acc. No. 1011313
(Md. Cir. Ct., Allegany County, Nov. 1, 1988) 1130
Atkinson v. Bowen
864 F.2d 67 (8th Cir. 1988) 1453
Atkinson v. Department of Health & Rehabilitative Servs. [44,218]; Acc. No. 1011454 1321
Augoustinakis v. INS
693 F. Supp. 1554 (S.D.N.Y. 1988) 837
Aurora Firefighter's Credit Union v. Harvey
516 N.E.2d 1028 (Ill. App. Ct. 1987) 86
Avalos v. La Conca D'Oro, Inc. [43,371]; Acc. No. 1010722
(E.D. Pa. Nov. 16, 1987) 178
Avery v. Powell
695 F. Supp. 632 (D.N.H. 1988) 1197
Ayuda, Inc. v. Attorney General
848 F.2d 1297 (D.C. Cir. 1988) 540
Ayuda, Inc. v. Meese
687 F. Supp. 650 (D.D.C. 1988) 696
Azzo v. Bowen
698 F. Supp. 139 (N.D. Ill. 1988) 1323

—B—

B., *In re* [43,666]; Acc. No. 1010959 522
B., F., *In re* [43,728]; Acc. No. 1011036
(SSA, Office of Hearings & App., July 18, 1988) 668
B., M., *In re* [43,438]; Acc. No. 1010766
(S.S.A., Office of Hearings & App., Jan. 8, 1988) 288
Babets v. Secretary of Executive Office of Human Servs.
526 N.E.2d 1261 (Mass. 1988) 832
Badgley v. Santacroce [42,555]
853 F.2d 50 (2d Cir. 1988) 698
Baer v. Lyng [42,793]; Acc. No. 1010879 400
Baez v. Rapping
680 F. Supp. 112 (S.D.N.Y. 1988) 195
Baggett v. Housing Auth. of Los Angeles [40,492]; Acc. No. 1011155
(Cal. Super. Ct., Los Angeles County, Oct. 11, 1988) 776

Bailey v. Austin
366 S.E.2d 214 (Ga. Ct. App. 1988) 297
Bailey v. Barren River Mental Health Mental Retardation, Inc.
See Bailey v. Kentucky Unemployment Ins. Comm'n
Bailey v. Bowen [40,040]
699 F. Supp. 51 (M.D. Pa. 1988) 1333
Bailey v. Kentucky Unemployment Ins. Comm'n [43,558]; Acc. Nos. 1010872, 1011218
(Ky. Cir. Ct., Warren County, Nov. 1, 1988) ... 408, 1174
Baker v. Bowen
839 F.2d 1075 (5th Cir. 1988) 188
Baker v. Bowen
839 F.2d 1197 (6th Cir. 1988) 188
Baker v. Bowen
697 F. Supp. 430 (D. Wyo. 1988) 1199
Baker v. Pryde [42,787]; Acc. No. 1010658
(W.D. Wash. Mar. 21, 1988) 65
Baker v. Virginia Dep't of Health & Rehabilitative Servs.
526 So. 2d 1057 (Fla. Dist. Ct. App. 1988) 546
Ballard v. Bowen
690 F. Supp. 474 (E.D. Va. 1988) 842
Banc Plus Mortgage v. McClaskey [43,736]; Acc. No. 1011034
(Ohio C.P. Ct., Franklin County, Mar. 28, 1988) 673
Baraldini v. Meese
691 F. Supp. 432 (D.D.C. 1988) 839
Barcia v. Sitkin [28,534]
683 F. Supp. 353 (S.D.N.Y. 1988) 412
Barlow v. Esselte Pendaflex Corp.
699 F. Supp. 540 (M.D.N.C. 1988) 1327
Barnes v. Singer Co.
369 S.E.2d 646 (N.C. Ct. App. 1988) 545
Barnett v. Klein
765 P.2d 777 (Okla. 1988) 1445
Barrett v. Secretary of HHS
840 F.2d 1259 (6th Cir. 1987) 196
Barrett v. Secretary of HHS [44,031]; Acc. No. 1011262
(W.D.N.Y. Oct. 12, 1988) 1169
Barron v. Florida Freedom Newspapers, Inc.
531 So. 2d 113 (Fla. 1988) 1324
Barsky v. Bowen
695 F. Supp. 757 (S.D.N.Y. 1988) 1188
Barton v. Secretary of HHS
683 F. Supp. 1024 (D.S.C. 1988) 422
Barton v. Steinbacher [44,201]; Acc. No. 1011430 1311
Barwacz v. Michigan Dep't of Educ.
681 F. Supp. 427 (W.D. Mich. 1988) 299
Batista v. Bowen
680 F. Supp. 324 (D. Ariz. 1988) 197
Bauer, *In re* [43,372]; Acc. No. 1010718
(Bankr. D.N.J. Aug. 31, 1987) 162
Baum v. Lyng [43,474]; Acc. No. 1010823 273
Baxter v. Bowman Gray School of Medicine [43,298]; Acc. No. 1010636
(Employment Sec. Comm'n Dec. 22, 1987) 78
Beasley v. Bowen
693 F. Supp. 1216 (D.D.C. 1988) 841
Beasley v. Harris [42,507]; Acc. No. 1010921 529
Beck v. Lynaugh
842 F.2d 759 (5th Cir. 1988) 302
Beckless v. Bowen [43,695]; Acc. No. 1011001 681
Beckwith v. Kizer [43,794]; Acc. No. 1011098 792
Bedford v. Sugarman [42,960]; Acc. No. 1011013 688
Bedoni v. Navajo-Hopi Indian Relocation Comm'n
854 F.2d 321 (9th Cir. 1988) 838
Beers v. Pennsylvania Unemployment Compensation Bd. of Review [43,981]; Acc. No. 1011241 1173
Begay v. Rael
765 P.2d 1178 (N.M. Ct. App. 1988) 1452
Begley v. Bowen [43,966]; Acc. No. 1011226 1171
Bell v. Lyng [43,363]; Acc. No. 1010704
(C.D. Ill. Apr. 6, 1988) 180
Bellamy v. McMickens
692 F. Supp. 205 (S.D.N.Y. 1988) 839
Bellan v. Illinois Dep't of Employment Sec.
520 N.E.2d 653 (Ill. App. Ct. 1987) 423
Belle Bonfils Memorial Blood Center v. District Court
763 P.2d 1003 (Colo. 1988) 1189
Beltran v. California
857 F.2d 542 (9th Cir. 1988) 1189
Benda v. Bowen
684 F. Supp. 210 (N.D. Ill. 1988) 422
Bennerson v. Small
842 F.2d 710 (3d Cir. 1988) 297
Bennett v. Arkansas
485 U.S. 395, 108 S. Ct. 1204 (1988) 91
Bennett v. Illinois Dep't of Employment Sec.
530 N.E.2d 541 (Ill. App. Ct. 1988) 1333
Bennett v. White [27,044]; Acc. Nos. 1010898, 1011281, 1011440
865 F.2d 1395 (3d Cir. 1989) 505, 1132, 1313
Benny v. Chicago Title Ins. Co. (*In re* Benny)
842 F.2d 1147 (9th Cir. 1988) 297
Berg v. Bowen
699 F. Supp. 184 (S.D. Ind. 1988) 1333
Berg v. Gardebring [43,866]; Acc. Nos. 1011176, 1011436
708 F. Supp. 238 (D. Minn. 1989) 823, 1314
Bernal v. Bowen
851 F.2d 297 (10th Cir. 1988) 700
Bernal-Garcia v. INS
852 F.2d 144 (5th Cir. 1988) 696
Bernard v. Gulf Oil Corp.
841 F.2d 547 (5th Cir. 1988) 191
Bernstein v. United States
699 F. Supp. 484 (E.D. Pa. 1988) 1333
Bertrand v. Bowen [43,526]; Acc. No. 1010845 398
Besaw v. Board of Review of W. Va. Dep't of Employment Sec. [43,686]; Acc. No. 1010990
(W. Va. Cir. Ct., Kanawha County, June 1, 1988) 685

Best v. Florida Dep't of Health & Rehabilitative Servs.
528 So. 2d 532 (Fla. App. Ct. 1988) 693
Besta v. Beneficial Loan Co.
855 F.2d 532 (8th Cir. 1988) 832
Betts v. Hamilton County Bd. of Mental Retardation
848 F.2d 692 (6th Cir. 1988) 544
Bhama v. Bhama
425 N.W.2d 733 (Mich. Ct. App. 1988) 832
Bigger v. American Commercial Lines, Inc.
677 F. Supp. 626 (W.D. Mo. 1988) 92
Bishop v. Mongan [43,967]; Acc. No. 1011232
(D.N.H. Oct. 27, 1988) 1147
Bishop v. Moran
676 F. Supp. 416 (D.R.I. 1987) 91
Blackfeet Indian Tribe v. Montana Power Co.
838 F.2d 1055 (9th Cir. 1988) 194
Blanchard v. Bergeron
109 S. Ct. 939 (1989) 1443
Blanco v. Contra Costa County [43,618]; Acc. Nos. 1010937, 1011334
(Cal. Super. Ct., Contra Costa County, Oct. 14, 1988) 531, 1181
Bland v. Bowen
861 F.2d 533 (8th Cir. 1988) 1332
Blankenship v. Secretary of HHS [15,795]; Acc. No. 1011376
858 F.2d 1188 (6th Cir. 1988) 1199, 1309
Blanks v. Gray [43,451]; Acc. No. 1010792
(Hampden, Mass., Hous. Ct. Apr. 4, 1988) 280
Blazel v. Bradley
698 F. Supp. 756 (W.D. Wis. 1988) 1324
Board of Educ. v. Dienelt [42,816]
843 F.2d 813 (4th Cir. 1988) 299
Board of Educ. v. Wieder
527 N.E.2d 767 (N.Y. 1988) 1194
Board of Supervisors of Los Angeles v. Superior Court [43,752]; Acc. Nos. 1011038, 1011225, 1011501
254 Cal. Rptr. 905, 207 Cal. App. 3d 552 (1989) 675, 1163, 1436
Bochenek v. Illinois Dep't of Employment Sec.
525 N.E.2d 893 (Ill. App. Ct. 1988) 843
Boettger v. Bowen [42,866]; Acc. No. 1011014 687
Bogard v. Duffy [43,370]; Acc. No. 1010710 168
Bohr v. Bowen
849 F.2d 219 (6th Cir. 1988) 544
Bolduc v. City of Lewiston [43,651]; Acc. Nos. 1010958, 1011253
(Me. Super. Ct., Androscoggin County, June 17, 1988) 531, 1183
Bonds v. Whitfield
529 So. 2d 1384 (La. Ct. App. 1988) 1200
Bonner v. Lewis
857 F.2d 559 (9th Cir. 1988) 1197
Bonner v. Saint Paul Townhouse Village [43,445]; Acc. Nos. 1010774, 1011008
(E.D. Mich. May 18, 1988) 278, 670
Borden v. Patterson [43,668]; Acc. No. 1010978
(Tenn. Cir. Ct., Putnam County, July 6, 1988) 675
Boston v. Elavsky [44,177]; Acc. No. 1011400
(Massillon, Ohio, Mun. Ct. Nov. 8, 1988) 1300
Botma v. Lenon Bus Serv., Inc.
699 F. Supp. 194 (E.D. Wis. 1988) 1328
Boudette v. Arizona Pub. Serv. Co.
685 F. Supp. 210 (D. Ariz. 1988) 544
Bovett, Adoption of, *In re*
515 N.E.2d 919 (Ohio 1987) 86
Bowen v. Bowen [43,544]; Acc. No. 1010862
(E.D. Pa. June 2, 1988) 389
Bowen v. Kendrick
108 S. Ct. 2562 (1988) 413
Bowen v. Massachusetts [43,486]; Acc. No. 1010871 390
Bowerman v. Malloy Lithographing, Inc.
430 N.W.2d 742 (Mich. Ct. App. 1988) 1449
Bowling Green Fed. Employees Credit Union v. Bibb [43,609]; Acc. No. 1010929
(Ky. Cir. Ct., Warren County, July 19, 1988) 505
Bowman v. Hinkle [43,868]; Acc. No. 1011177
(HHS, Office for Civil Rights, Sept. 20, 1988) 795
Bowser v. Zachary
544 A.2d 1022 (Pa. Super. Ct. 1988) 833
Boyd v. Eastgate Apartments [43,844]; Acc. No. 1011140 802
Bracamontes v. Weyerhaeuser Co.
840 F.2d 271 (5th Cir. 1988) 193
Bradley v. Austin [40,607]
841 F.2d 1288 (6th Cir. 1988) 198
Brady v. Bowen [43,892]; Acc. No. 1011208
(N.D. Ill. Sept. 2, 1988) 777
Brady v. Youngstown Mun. Court [44,208]; Acc. No. 1011445 1289
Brandon v. Labor & Indus. Relations Comm'n
759 S.W.2d 900 (Mo. Ct. App. 1988) 1454
Brandt v. Board of Coop. Educ. Servs.
845 F.2d 416 (2d Cir. 1988) 415
Bray v. Bowen
854 F.2d 685 (5th Cir. 1988) 840
Breaux, *In re* [43,643]; Acc. No. 1010952
(Me. Dep't of Human Servs. Mar. 1, 1988) 531
Bresgal v. Brock [41,205]
843 F.2d 1163 (9th Cir. 1987) 302
Briggs v. Bowen [44,289]; Acc. No. 1011516 1437
Brinkman v. Rahm [41,131]; Acc. No. 1011377
(W.D. Wash. Dec. 9, 1988) 1310
Brisco v. Eckles [44,039]; Acc. No. 1011276 1159
Brister v. Whitfield
522 So. 2d 1254 (La. Ct. App. 1988) 424
Broadus v. Pennsylvania Unemployment Compensation Bd. of Review
544 A.2d 1098 (Pa. Commw. Ct. 1988) 843
Brooks v. Min [43,598]; Acc. No. 1010907
(W.D. Tenn. July 6, 1988) 509
Brown v. Bowen
845 F.2d 1211 (3d Cir. 1988) 422

Brown v. Bowen
864 F.2d 336 (5th Cir. 1988) 1453
Brown v. Eichler [42,569]
680 F. Supp. 138 (D. Del. 1988) 189
Brown v. Kizer [43,729]; Acc. No. 1011037
(Cal. Super. Ct., Alameda County, Aug. 16, 1988) ... 668
Brown v. McMahon [43,812]; Acc. No. 1011106 822
Brown v. South Carolina Employment Sec. Comm'n [43,304]; Acc. No. 1010674
(D.S.C. Nov. 12, 1987) 76
Brown v. Word [43,349]; Acc. Nos. 1010690, 1011057
(M.D. Tenn. Aug. 29, 1988) 169, 793
Brozovich v. Circle C Group Homes
548 A.2d 698 (Pa. Commw. Ct. 1988) 1451
Bruce v. City of Alameda [34,391]; Acc. No. 1011512
255 Cal. Rptr. 264 (Cal. Ct. App. 1989) 1420
Bruner v. Bruner
429 N.W.2d 679 (Minn. Ct. App. 1988) 1446
Bryant v. General Motors Acceptance Corp.
361 S.E.2d 529 (Ga. Ct. App. 1987) 85
Buchanan v. Clark County Pub. Transp. Benefit Area Auth. [43,644]; Acc. No. 1010941
(Wash. Super. Ct., Clark County, June 22, 1988) 510
Buchanan v. Jackson, Tenn.
683 F. Supp. 1515 (W.D. Tenn. 1988) 415
Buckley v. Department of Health & Rehabilitative Serv.
516 So. 2d 1008 (Fla. Dist. Ct. App. 1987) 94
Buenrostro v. Washington State Apple Advertising Comm'n [43,373]; Acc. No. 1010723
(Wash. Super. Ct., Chelan County, Mar. 25, 1988) ... 179
Buffington v. General Time Corp.
677 F. Supp. 1186 (M.D. Ga. 1988) 87
Bujarski v. Bujarski
530 So. 2d 953 (Fla. Dist. Ct. App. 1988) 1190
Bunch v. Bowen [43,599]; Acc. No. 1010908
(M.D. Fla. July 7, 1988) 525
Bundles v. Baker (*In re* Bundles)
856 F.2d 815 (7th Cir. 1988) 831
Burden v. McNally [43,999]; Acc. No. 1011364
(Ky. Dist. Ct., Warren County, Oct. 26, 1988) 1131
Burger v. Health Ins. Plan of Greater N.Y.
684 F. Supp. 46 (S.D.N.Y. 1988) 415
Burgess v. Linscott [43,898]; Acc. No. 1011210 1166
Burket v. Barry [43,712]; Acc. No. 1011016
(S.D. Ohio Aug. 9, 1988) 666
Burkhart v. Bowen
856 F.2d 1335 (9th Cir. 1988) 841
Burks v. Bowen
696 F. Supp. 385 (N.D. Ill. 1988) 1188
Burns v. Burns
518 So. 2d 1205 (Miss. 1988) 86
Burr v. Ambach
683 F. Supp. 46 (S.D.N.Y. 1988);
863 F.2d 1071 (2d Cir. 1988) 412, 1448
Burress v. LaFollette Hous. Auth. [43,797]; Acc. No. 1011193
(E.D. Tenn. Aug. 4, 1988) 799
Bush v. Bowen
690 F. Supp. 417 (W.D. Pa. 1988) 842
Bussey v. Florida Dep't of Health & Rehabilitative Servs.
526 So. 2d 984 (Fla. Dist. Ct. App. 1988) 546
Butland v. Bowen [43,436]; Acc. No. 1010764
673 F. Supp. 638 (D. Mass. 1987) 287
Butler v. Secretary of HHS
850 F.2d 425 (8th Cir. 1988) 700
Byrne, *In re* [43,330]; Acc. No. 1010662
(SSA, Office of Hearings & App., Feb. 19, 1988) 64
Byzewski v. Byzewski [44,119]; Acc. No. 1011349
429 N.W.2d 394 (N.D. 1988) 1164

—C—

C., A., *In re*
533 A.2d 611 (D.C. 1987) 89
C., C.L., *In re*
760 S.W.2d 790 (Tex. Ct. App. 1988) 1447
C., M., *In re* [43,545]; Acc. No. 1010861
(SSA, Office of Hearings & App., June 24, 1988) ... 399
Cabasug v. INS
847 F.2d 1321 (9th Cir. 1988) 540
Cain v. Bowen
846 F.2d 698 (11th Cir. 1988) 412
Calandro v. Bowen
697 F. Supp. 423 (D. Wyo. 1988) 1200
Calderon v. Witvoet [44,169]; Acc. No. 1011396 1306
Caldwell v. Caldwell
533 So. 2d 413 (Miss. 1988) 1445
Cale v. Johnson
861 F.2d 943 (6th Cir. 1988) 1330
California Ass'n of the Physically Handicapped v. Federal Communications Comm'n
840 F.2d 88 (D.C. Cir. 1988) 191
California Dep't of Health Servs. v. Secretary of HHS [43,284]; Acc. No. 1010624 61
California State Employees' Ass'n v. California
682 F. Supp. 1044 (N.D. Cal. 1987) 298
Camacho v. Pierce [44,078]; Acc. No. 1011312 1152
Cameron v. Bowen
683 F. Supp. 73 (S.D.N.Y. 1988) 422
Campos v. City of Baytown
696 F. Supp. 1128 (S.D. Tex. 1988) 1326
Cannon v. Heckler
695 F. Supp. 458 (N.D. Cal. 1988) 1188
Capps, *In re*
836 F.2d 773 (3d Cir. 1987) 84
Cardaropoli v. Perez [43,798]; Acc. No. 1011110
(Hampden, Mass., Hous. Ct. Sept. 7, 1988) 803
Carmel v. Bowen
700 F. Supp. 794 (S.D.N.Y. 1988) 1443
Carney v. Pankey [43,439]; Acc. No. 1010775
(Ohio Ct. App. Mar. 4, 1988) 270
Carter v. Bowen [43,988]; Acc. No. 1011244
(3d Cir. Sept. 15, 1988) 1168

Casse v. Louisiana Gen. Servs., Inc.
531 So. 2d 554 (La. Ct. App. 1988) 1448
Castillo v. Bowles
687 F. Supp. 277 (N.D. Tex. 1988) 699
Castleman v. HUD [34,354]; Acc. No. 1011059
(W.D. Mo. Sept. 8, 1988) 797
Castro v. Sugarman [42,643]; Acc. No. 1010629
(Wash. Super. Ct., Thurston County, Mar. 9, 1988) 81
Castro-O'Ryan v. INS
847 F.2d 1307 (9th Cir. 1988) 540
Catholic Social Servs. v. Meese [42,712]; Acc. Nos. 1010814, 1010853
685 F. Supp. 1149 (E.D. Cal. 1988); (E.D. Cal. June 24, 1988) 282, 403
Catir v. Commissioner of Dep't of Human Servs. [41,453]; Acc. No. 1010859
543 A.2d 356 (Me. Sup. Jud. Ct. 1988) 399
Cha Lor v. Bowen [44,032]; Acc. No. 1011263
(W.D. Wash. Oct. 7, 1988) 1179
Chabbani, *In re* [43,669]; Acc. No. 1010977
(Mich. Dep't of Social Servs., Bureau of Admin. Hearings, May 20, 1988) 689
Chalk v. United States Dist. Court Cent. Dist. of Cal. [43,121]
840 F.2d 701 (9th Cir. 1988) 191
Chapman v. Department of Health & Rehabilitative Servs.
517 So. 2d 104 (Fla. Dist. Ct. App. 1987) 86
Chapoton v. Majestic Caterers [44,286]; Acc. No. 1011504
(Va. Cir. Ct., Roanoke (City), Feb. 16, 1989) 1428
Charles v. Daley
846 F.2d 1057 (7th Cir. 1988) 536
Chavez v. Bowen
844 F.2d 691 (9th Cir. 1988) 303
Chernin v. Welchans
844 F.2d 322 (6th Cir. 1988) 301
Chestnut Park Assoc. v. Clark [43,560]; Acc. No. 1010876
(Hampden Hous. Ct. June 16, 1987) 403
Chevron Corp. v. Redmon
745 S.W.2d 314 (Tex. 1987) 299
Chicago Hous. Auth. v. Thompson [43,429]; Acc. No. 1010761
(Ill. App. Ct. May 9, 1988) 279
Chicago Women in Trades v. Walsh Constr. [43,795]; Acc. No. 1011094 787
Child of Indian Heritage, Adoption of, *In re*
543 A.2d 925 (N.J. 1988) 698
Chiles v. Bowen
695 F. Supp. 357 (S.D. Ohio 1988) 1199
Chillicothe Metro. Hous. Auth. v. Anderson [43,832]; Acc. No. 1011129
(Ohio Ct. App. June 28, 1988) 802
Chisom v. Edwards
839 F.2d 1056 (5th Cir. 1988) 190
Chisom v. Edwards
690 F. Supp. 1524 (E.D. La. 1988) 834
Chrysler Credit Corp. v. Howard [43,687]; Acc. No. 1010992
(Ky. Cir. Ct., Laurel County, June 22, 1988) 661
Church of the Lukumi Babalu Aye v. City of Hialeah [43,548]; Acc. No. 1010869
688 F. Supp. 1522 (S.D. Fla. 1988) 393
Ciccone v. Secretary of HHS
861 F.2d 14 (2d Cir. 1988) 1198
City & County of Denver v. Industrial Comm'n
756 P.2d 373 (Colo. 1988) 545
City of Detroit v. Mooring [44,073]; Acc. No. 1011307 1173
City of Kansas City, Mo. v. HUD
861 F.2d 739 (D.C. Cir. 1988) 1329
Clark v. Bowen
864 F.2d 66 (8th Cir. 1988) 1453
Clark v. Commissioner of Income Maintenance
551 A.2d 729 (Conn. 1988) 1449
Clark v. Jeter
108 S. Ct. 1910 (1988) 417
Clark v. Kizer [43,105]; Acc. No. 1010787
(E.D. Cal. May 10, 1988) 268
Clark v. Render
530 So. 2d 437 (Fla. Dist. Ct. App. 1988) 833
Clark v. Wingard [41,241]; Acc. No. 1011335
(N.D. Ohio Nov. 23, 1988) 1162
Clarke v. Clarke
529 N.E.2d 575 (Ill. App. Ct. 1988) 1325
Clarkson v. Atkins [44,271]; Acc. No. 1011492
(Mass. Super. Ct., Suffolk County, Dec. 24, 1987) 1428
Claudio v. Bowen
690 F. Supp. 653 (N.D. Ill. 1988) 841
Cleaver v. Secretary of HHS
683 F. Supp. 708 (E.D. Ark. 1988) 422
Clinton, *In re*
762 P.2d 1381 (Colo. 1988) 1196
Clinton, *In re* [43,443]; Acc. No. 1010771
(Or. Dep't of Human Resources Apr. 8, 1988) 294
Cobb v. City of Newport News [43,989]; Acc. No. 1011245
(Va. Employment Comm'n Sept. 23, 1988) 1176
Cole v. Newton Special Mun. Separate School Dist.
676 F. Supp. 749 (S.D. Miss. 1987) 87
Coleman v. Lyng [37,981]
864 F.2d 604 (8th Cir. 1988) 1452
Coley v. Secretary of Army
689 F. Supp. 519 (D. Md. 1987) 695
Collet v. Collet
759 S.W.2d 876 (Mo. Ct. App. 1988) 1446
Collins v. Barry [2730]
841 F.2d 1297 (6th Cir. 1988) 198
Collins v. City of Norfolk
679 F. Supp. 557 (E.D. Va. 1988) 190
Collins v. Cohoes Hous. Auth. [44,069]; Acc. No. 1011305 1155
Collins-Maat v. Bowen
690 F. Supp. 664 (N.D. Ill. 1988) 841

Colorado v. Stevens
761 P.2d 768 (Colo. 1988) 1196
Columbus Metro. Hous. Auth. v. Divens [43,374]; Acc. No. 1010721
(S.D. Ohio July 15, 1987) 173
Comer v. Board of Supervisors of County of Los Angeles
See Board of Supervisors of Los Angeles v. Superior Court
Committee for a Better North Philadelphia v. Southeastern Penn. Transp. Auth. [43,324]; Acc. No. 1010669 76
Committee of Cent. Am. Refugees v. INS
682 F. Supp. 1055 (N.D. Cal. 1988) 301
Community Bank of Greater Peoria v. Love [44,281]; Acc. No. 1011498 1422
Community Hous. Alternatives v. Latta
362 S.E.2d 1 (N.C. Ct. App. 1987) 89
Concerned Tenants Ass'n of Father Panik Village v. Pierce [42,892]; Acc. No. 1010883
685 F. Supp. 316 (D. Conn. 1988) 515
Conille v. Secretary of HUD [42,789]
840 F.2d 105 (1st Cir. 1988) 192
Conklin Center v. Williams
519 So. 2d 38 (Fla. Dist. Ct. App. 1987) 87
Conley v. Bowen
859 F.2d 261 (2d Cir. 1988) 1198
Connecticut v. Goggin
546 A.2d 250 (Conn. 1988) 836
Consumer Advocate v. Iowa Commerce Comm'n
428 N.W.2d 302 (Iowa 1988) 1198
Contreras-Aragon v. INS
852 F.2d 1088 (9th Cir. 1988) 696
Cook v. Barry [44,249]; Acc. No. 1011470 1427
Cook v. Ochsner Found. Hosp. [3973]; Acc. No. 1011438
(E.D. La. Dec. 29, 1988) 1298
Cook v. Steed
758 P.2d 906 (Utah 1988) 837
Cooper v. Tard
855 F.2d 125 (3d Cir. 1988) 838
Cooper v. Utah
684 F. Supp. 1060 (D. Utah 1987) 538
Copeland v. Bowen
861 F.2d 536 (9th Cir. 1988) 1332
Corbett v. Regional Center for the E. Bay, Inc.
676 F. Supp. 964 (N.D. Cal. 1988) 88
Cornhusker Christian Children's Home Inc. v. Nebraska Dep't of Social Servs.
429 N.W.2d 359 (Neb. 1988) 1196
Correa v. Bowen
682 F. Supp. 755 (S.D.N.Y. 1988) 304
Cosby v. Ward [34,728]; Acc. No. 1010695
(7th Cir. Mar. 14, 1988);
843 F.2d 967 (7th Cir. 1988) 183, 304
Cotton v. Mansour [37,134]; Acc. No. 1011370 1295
Couch v. North Carolina Employment Sec. Comm'n [43,357]; Acc. No. 1010685
366 S.E.2d 574 (N.C. Ct. App. 1988) 185
Counsel v. Dow [43,273]
849 F.2d 731 (2d Cir. 1988) 536
Country View Apartments v. Moore [43,325]; Acc. No. 1010676 66
County of San Mateo v. Dell J., Sr.
762 P.2d 1202 (Cal. 1988) 1200
Cousins v. United States Dep't of Transp.
857 F.2d 37 (1st Cir. 1988) 1194
Covenant Medical Center v. Youngblut [43,982]; Acc. No. 1011242
(Iowa Dist. Ct., Black Hawk County, Oct. 12, 1988) 1151
Coventry v. United States Steel Corp.
856 F.2d 514 (3d Cir. 1988) 834
Cowan v. Lipscomb [43,464]; Acc. No. 1010807
(S.D. W. Va. May 23, 1988) 290
Coward v. Maryland Nat'l Bank [43,469]; Acc. No. 1010829 269
Cowfer v. Pennsylvania Unemployment Compensation Bd. of Review
534 A.2d 560 (Pa. Commw. Ct. 1987) 94
Cowling v. Barry [43,831]; Acc. No. 1011130 824
Craig v. Secretary of HHS
864 F.2d 324 (4th Cir. 1989) 1443
Craig v. Wells [42,031]; Acc. No. 1010968
(C.D. Cal. June 8, 1988) 656
Cram, *In re* [43,597]; Acc. No. 1010909
(S.S.A., Office of Hearings & App., June 21, 1988) 523
Crane v. United States [42,800]; Acc. No. 1010965
(D.D.C. July 29, 1988);
(D.C. Cir. Feb. 7, 1989) 503, 1420
Crawford v. Bowen
687 F. Supp. 99 (S.D.N.Y. 1988) 701
Cresto v. Director of Office of Workers' Compensation Programs [43,296]; Acc. Nos. 1010632, 1011333
(7th Cir. Nov. 23, 1988) 60, 1147
Crist v. Bowen
682 F. Supp. 412 (N.D. Ind. 1988) 303
Crociata v. New York State Tax Comm'n [44,033]; Acc. No. 1011264 1172
Cronin v. Board of Educ. of East Ramapo Cent. School Dist.
689 F. Supp. 197 (S.D.N.Y. 1988) 695
Crossley v. Lieberman [43,302]; Acc. Nos. 1010639, 1010919
90 Bankr. 682 (E.D. Pa. 1988) 56, 504
Crow v. Crow
759 S.W.2d 570 (Ark. Ct. App. 1988) 1445
Crum v. Housing Auth. of Tampa [34,235]; Acc. No. 1010788
841 F.2d 376 (11th Cir. 1988) 190, 267
Cruz, *In re* [43,356]; Acc. No. 1010686
(SSA, Office of Hearings & App., Apr. 8, 1988) 182
Cruz Gomez v. City of Watsonville
852 F.2d 1186 (9th Cir. 1988) 693
Cruzan v. Harmon [44,045]; Acc. No. 1011322
760 S.W.2d 408 (Mo. 1988) 1145

Culbert v. Young [43,376]; Acc. No. 1010724 179
Cummings v. Bowen
677 F. Supp. 975 (N.D. Ill. 1988) 93
Cunningham v. Phoenix Management [44,117]; Acc. No. 1011337
540 A.2d 1099 (D.C. 1988) 1159
Curse v. Director, Office of Workers Compensation Programs
843 F.2d 456 (11th Cir. 1988) 299
Curtis v. Belden Elec. Wire & Cable
760 S.W.2d 97 (Ky. Ct. App. 1988) 1448
Cushman v. Bowen
683 F. Supp. 672 (N.D. Ind. 1988) 422
Czachorowski v. Degenhart [44,099]; Acc. No. 1011327 1138

—D—

D. v. Duffy [44,146]; Acc. No. 1011361
(N.D. Ill. Feb. 26, 1988) 1161
D. v. Sobel
688 F. Supp. 861 (S.D.N.Y. 1988) 691
Daddona v. Liberty Mobile Home Sales, Inc.
550 A.2d 1061 (Conn. 1988) 1450
D'Agostino v. Bowen
695 F. Supp. 930 (N.D. Ill. 1988) 1199
Dallas County Community Action Comm., *Ex parte* [44,203]; Acc. No. 1011433 1292
Daniels v. St. Petersburg Episcopal Community, Inc. [44,248]; Acc. No. 1011474
(Fla. Unemployment Appeals Comm'n Nov. 23, 1988) 1440
Daniels v. Tennessee Dep't of Health & Env't [38,991]; Acc. No. 1010626
(M.D. Tenn. Mar. 10, 1988) 62
Danny Darby Real Estate, Inc. v. Jacobs
760 S.W.2d 711 (Tex. Ct. App. 1988) 1444
D'Antignac v. Perales [43,561]; Acc. No. 1010915
(N.Y. Sup. Ct., App. Div., May 9, 1988) 530
Darden v. Secretary of HHS
694 F. Supp. 255 (E.D. Mich. 1988) 842
Darling v. Bowen [42,592]; Acc. No. 1010810
685 F. Supp. 1125 (W.D. Mo. 1988) 275, 540
Data Gen. Corp. v. Southwest Research Inst.
695 F. Supp. 1349 (D. Mass. 1988) 1189
Davenport v. DeRobertis
844 F.2d 1310 (7th Cir. 1988) 419
Davenport v. Pennsylvania Dep't of Pub. Welfare [43,294]; Acc. Nos. 1010633, 1010984
(Bankr. E.D. Pa. Mar. 8, 1988); (E.D. Pa. July 29, 1988) 54, 657
Davis v. City of Berkeley
765 P.2d 46 (Cal. 1988) 1449
Davis v. Hunt
686 F. Supp. 883 (M.D. Ala. 1988) 696
Davis v. Mobile Consortium of CETA
857 F.2d 737 (11th Cir. 1988) 1193
Davis v. Spanish Coalition for Jobs, Inc.
676 F. Supp. 171 (N.D. Ill. 1988) 87
Dawkins v. Bowen
848 F.2d 1211 (11th Cir. 1988) 540
Dawson v. City of Kent
682 F. Supp. 920 (N.D. Ohio 1988) 300
Dayton v. Coral Oldsmobile, Inc.
684 F. Supp. 290 (S.D. Fla. 1988) 415
DeAllaume v. Perales
701 F. Supp. 49 (S.D.N.Y. 1988) 1452
Dealmeida v. Bowen
699 F. Supp. 806 (N.D. Cal. 1988) 1332
DeArmond v. Sugarman [44,056]; Acc. No. 1011288 1184
Deas v. Dempsey [36,043]
530 N.E.2d 1239 (Mass. 1988) 1329
Deel, Adoption of, *In re* [44,076]; Acc. No. 1011314
(Va. Cir. Ct., Buchanan County, Oct. 13, 1988) 1139
Deel v. Jackson [42,328]; Acc. No. 1011382
862 F.2d 1079 (4th Cir. 1988) 1313
Deer v. Mississippi Dep't of Pub. Welfare
518 So. 2d 649 (Miss. 1988) 86
DeFender v. Zephier [44,120]; Acc. No. 1011348 1165
Deflorio v. Crooks [43,696]; Acc. No. 1010999
(Conn. Super. Ct., Stamford/Norwalk, June 2, 1988) 672
DeLeon v. Secretary of HHS
687 F. Supp. 320 (W.D. Mich. 1987) 701
Delgado v. Smith
861 F.2d 1489 (11th Cir. 1988) 1326
Dell'Orfano v. Scully
692 F. Supp. 226 (S.D.N.Y. 1988) 840
DeMallory v. Cullen
855 F.2d 442 (7th Cir. 1988) 838
Dempsey v. Senior Servs. Div. (*In re* Dempsey)
758 P.2d 367 (Or. Ct. App. 1988) 835
Denson v. Bowen
681 F. Supp. 1566 (M.D. Ga. 1988) 303
Denton v. Perales [42,756]; Acc. Nos. 1010780, 1011222
530 N.E.2d 1284 (N.Y. 1988) 276, 1149
Descheenie v. Bowen
850 F.2d 624 (10th Cir. 1988) 700
DeShaney v. Winnebago County Dep't of Social Servs.
109 S. Ct. 998 (1989) 1450
Detroit Base Coalition for Human Rights v. Dep't of Social Servs. [37,560]
428 N.W.2d 335 (Mich. 1988) 1201
Devadutt v. Perales [43,276]; Acc. No. 1010618 61
Devries v. Spillane [43,722]; Acc. No. 1011019
853 F.2d 264 (4th Cir. 1988) 665
Diamond v. Perales [43,713]; Acc. No. 1011021
(N.Y. Sup. Ct., Nassau County, Apr. 12, 1988) 688
Diamond Rental Center v. Rodgers [43,670]; Acc. No. 1010976
(Del. J.P. Ct., Kent County, July 19, 1988) 660
Dick v. Bowen
690 F. Supp. 415 (W.D. Pa. 1988) 842

Dillard v. Baldwin County Bd. of Educ.
686 F. Supp. 1459 (M.D. Ala. 1988) 693
Dillard v. Baldwin County Comm'n
694 F. Supp. 836 (M.D. Ala. 1988) 834
Dillard v. Chilton County Bd. of Educ.
699 F. Supp. 870 (M.D. Ala. 1988) 1326
Dillion v. City of Chicago
684 F. Supp. 177 (N.D. Ill. 1988) 413
Director, Office of Workers' Compensation Programs v. Midland Coal Co.
855 F.2d 509 (7th Cir. 1988) 835
Disabled in Action of Penn., *In re* [43,323]; Acc. No. 1010667
(Architectural & Transp. Barriers Compliance Bd. Mar. 3, 1988) 60
DiStefano v. Bowen
689 F. Supp. 32 (D. Mass. 1988) 701
District of Columbia Common Cause v. District of Columbia [41,767]; Acc. No. 1011292
(D.C. Cir. Sept. 20, 1988) 1140
Dixon v. Bowen
695 F. Supp. 935 (N.D. Ill. 1988) 1199
Dixon v. Johnson
430 N.W.2d 253 (Minn. Ct. App. 1988) 1188
Dizayee v. Dizayee [43,355]; Acc. No. 1010689
414 N.W.2d 606 (N.D. Ct. App. 1987) 165
Doan v. Secretary of HHS
680 F. Supp. 1146 (S.D. Ohio 1987) 197
Doe, *In re* [43,688]; Acc. No. 1011060 819
Doe, *In re* [43,730]; Acc. No. 1011033
(SSA, Office of Hearings & App., Aug. 18, 1988) ... 683
Doe v. Austin [33,390]
848 F.2d 1386 (6th Cir. 1988) 542
Doe v. Bobbitt
698 F. Supp. 1415 (N.D. Ill. 1988) 1329
Doe v. Centinela Hosp. [43,596]; Acc. No. 1010910
(C.D. Cal. June 30, 1988) 512
Doe v. Coughlin [41,676]; Acc. No. 1011236
697 F. Supp. 1234 (N.D.N.Y. 1988) 1167
Doe v. Cullen [43,556]; Acc. No. 1010875 410
Doe v. Dolton Elementary School Dist. No. 148
694 F. Supp. 440 (N.D. Ill. 1988) 834
Doe v. Hennepin County
858 F.2d 1325 (8th Cir. 1988) 1196
Doe v. Neumayer [43,541]; Acc. Nos. 1010856, 1011383
(M.D. Pa. Dec. 7, 1988) 405, 1308
Doe v. Norris [41,788]; Acc. No. 1010789
751 S.W.2d 834 (Tenn. Sup. Ct. 1988) 283
Doe v. Prime Health/Kansas City, Inc. [43,856]
(Kan. Dist. Ct., Johnson County, Oct. 18, 1988) 742
Doe v. Reivitz [39,911]; Acc. No. 1010660
(E.D. Wis. Mar. 24, 1988) 54
Doe I v. Meese
690 F. Supp. 1572 (S.D. Tex. 1988) 837
Dominick v. Bowen
861 F.2d 1330 (5th Cir. 1988) 1332
Dominion Bank, *In re* [43,855]; Acc. Nos. 1011148, 1011509 ..... 783, 1425
Donahue v. Secretary of Massachusetts
530 N.E.2d 792 (Mass. 1988) 1326
Donald v. Polk County
836 F.2d 376 (7th Cir. 1988) 90
Donnelly v. United States
850 F.2d 1313 (9th Cir. 1988) 697
Donohue v. Getman [44,100]; Acc. No. 1011328
432 N.W.2d 281 (S.D. 1988) 1137
Dooley v. Rutherfoord [43,301]; Acc. No. 1010642 71
Dor v. INS
697 F. Supp. 694 (S.D.N.Y. 1988) 1329
Doston v. Duffy [38,842]; Acc. No. 1011329
(N.D. Ill. Nov. 23, 1988) 1178
Dougherty v. Maine Dep't of Educ. & Cultural Servs. [43,959]; Acc. No. 1011229 1146
Drake v. Pierce [43,528]; Acc. Nos. 1010842, 1011168, 1011365
(W.D. Wash. Sept. 13, 1988);
691 F. Supp. 264 (W.D. Wash. 1988) ... 401, 800, 1287
Drombetta v. Secretary of HHS
845 F.2d 607 (6th Cir. 1988) 422
DuBose v. Pierce [16,651]
857 F.2d 889 (2d Cir. 1985) 1187
DuBreuil v. Bowen
677 F. Supp. 32 (D. Mass. 1986) 93
Ducheneaux v. Secretary of the Interior
837 F.2d 340 (8th Cir. 1988) 194
Duerscherl v. Foley
681 F. Supp. 1364 (D. Minn. 1987) 297
Duggan v. Bowen [42,167]
691 F. Supp. 1487 (D.D.C. 1988) 836
Dull v. Delaware County Dep't of Pub. Welfare [43,740]; Acc. No. 1011237 1157
Duncan v. Bowen [44,258]; Acc. No. 1011481 1437
Duncan v. Sabal Palms I Assoc. [44,209]; Acc. No. 1011443 1302
DuQuoin v. Lander Valley Regional Medical Center [43,468]; Acc. No. 1010825
(Wyo. Dist. Ct., 9th Dist., May 18, 1988) 277
Duran v. Carruthers [43,262]; Acc. No. 1010598
(U.S. Sup. Ct. Mar. 11, 1988) 53
Duran v. Housing Auth. of City & County of Denver [43,823]; Acc. No. 1011120
761 P.2d 180 (Colo. 1988) 801

—E—

Eagan v. Ayd
545 A.2d 55 (Md. 1988) 1325
Ealey v. Holt
523 So. 2d 173 (Fla. Ct. App. 1988) 424
Eames v. Bowen
864 F.2d 251 (2d Cir. 1988) 1443
East Jefferson Coalition for Leadership & Dev. v. Jefferson Parish
691 F. Supp. 991 (E.D. La. 1988) 834
East Lake Management & Dev. v. Irvin [43,473]; Acc. No. 1010824 279

East St. Louis Hous. Auth. v. Evans [44,034]; Acc. No. 1011265
(Ill. App. Ct. Sept. 30, 1988) 1142
Eastern Paralyzed Veterans Ass'n of Pa. v. Sykes
676 F. Supp. 597 (E.D. Pa. 1987);
697 F. Supp. 845 (E.D. Pa. 1988) 88, 1328
Edward v. Williams
696 F. Supp. 1432 (D. Utah 1988) 1324
Edwards, *In re* [44,057]; Acc. No. 1011287
(Ohio Dep't of Human Servs. Nov. 17, 1988) 1186
EEOC v. Cargill, Inc.
855 F.2d 682 (10th Cir. 1988) 834
EEOC v. Carolina Freight Carriers Corp.
686 F. Supp. 309 (S.D. Fla. 1988) 539
EEOC v. Mississippi
837 F.2d 1398 (5th Cir. 1988) 191
EEOC v. South Dakota Wheat Growers Ass'n
683 F. Supp. 1302 (D.S.D. 1988) 415
Eggers v. Bullitt County School Dist. [43,813]; Acc. No. 1011104
854 F.2d 892 (6th Cir. 1988) 774
Eggleston v. Bowen
851 F.2d 1244 (10th Cir. 1988) 700
El Concilio De Los Trabajadores De La Industria De Los Longos v. Pennsylvania Dep't of Envtl. Resources [43,824]; Acc. No. 1011116
(Pa. Commw. Ct. Aug. 25, 1988) 810
Ellis v. Ellis
752 S.W.2d 781 (Ky. 1988) 1190
Ellis v. HUD [43,847]; Acc. No. 1011147 799
Ellis v. Patterson [43,810]; Acc. No. 1011109
859 F.2d 52 (8th Cir. 1988) 791
Ellsworth v. Babcock [43,793]; Acc. No. 1011097 823
Elroe Realty v. Fraga [43,426]; Acc. No. 1010752
(N.J. Super. Ct., App. Div., Mar. 31, 1988) 284
Elsey v. Louisiana Dep't of Employment Sec.
517 So. 2d 442 (La. Ct. App. 1987) 94
El-Youssef v. Meese
678 F. Supp. 1508 (D. Kan. 1988) 193
Emanuel v. American Credit Exch. [44,040]; Acc. No. 1011273 1133
Embrey v. Bowen
849 F.2d 418 (9th Cir. 1988) 544
Emerson Hall Assoc. v. Thompson [43,286]; Acc. No. 1010617
(Wis. Cir. Ct., Rock County, Mar. 8, 1988) 67
Employment Div., Or. Dep't of Human Resources v. Smith
108 S. Ct. 1444 (1988) 197
Endress v. Jones
534 So. 2d 307 (Ala. Civ. App. 1988) 1445
Eng v. Coughlin
858 F.2d 889 (2d Cir. 1988) 1197
Eng v. Coughlin
684 F. Supp. 56 (S.D.N.Y. 1988) 420
Escobar v. Bowen
857 F.2d 644 (9th Cir. 1988) 1187
Escobar v. INS
700 F. Supp. 609 (D.D.C. 1988) 1450
Escobar Ruiz v. INS
838 F.2d 1020 (9th Cir. 1988) 188
Esquivel v. McMahon [44,171]; Acc. No. 1011397
(Cal. Super. Ct., Sacramento County, Dec. 21, 1988) 1316
Etter v. Board of Supervisors of County of Los Angeles [43,346]; Acc. No. 1010808
(Cal. Super. Ct., Los Angeles County, July 27, 1987) 276
Euston v. Euston
759 S.W.2d 788 (Tex. Ct. App. 1988) 1447
Evans, *In re* [43,288]; Acc. No. 1010622
(Ohio Ct. App. Nov. 30, 1987) 55
Evans v. Chrysler First Consumer Discount Co. [43,983]; Acc. No. 1011240 1135
Evans v. City of Dallas
861 F.2d 846 (5th Cir. 1988) 1327
Evans v. District No. 17 of Douglas County, Neb.
841 F.2d 824 (8th Cir. 1988) 192
Evans v. Island Walk [43,549]; Acc. No. 1010868 398
Everhart v. Bowen [43,697]; Acc. No. 1011003
853 F.2d 1532 (10th Cir. 1988) 680
Ewing v. Messerli [44,251]; Acc. No. 1011472
(D.S.D. June 23, 1988) 1421

—F—

F. v. Felan [43,786]; Acc. No. 1011082
(Utah Ct. App. Aug. 30, 1988) 784
Fain, *Ex parte* [43,394]; Acc. No. 1010735
750 S.W.2d 344 (Tex. Ct. App. 1988) 165
Farley v. Bowen [43,480]; Acc. No. 1010835 407
Farlough v. Smallwood [39,424]
524 So. 2d 201 (La. Ct. App. 1988) 417
Farmer v. Carlson
685 F. Supp. 1335 (M.D. Pa. 1988) 543
Farmer v. Rogers
839 F.2d 269 (6th Cir. 1988) 192
Farrell v. Farrell
518 So. 2d 931 (Fla. Dist. Ct. App. 1987) 86
Favors v. ALCO Mfg. Co.
367 S.E.2d 328 (Ga. Ct. App. 1988) 298
Feagin v. Broglin
693 F. Supp. 736 (N.D. Ind. 1988) 839
Fedde v. Bowen [44,121]; Acc. No. 1011343
(D.S.D. Oct. 5, 1988) 1171
Federal Land Bank of Wichita v. Frech [43,843]; Acc. No. 1011138 813
Felder v. Casey [42,957]; Acc. No. 1010870
108 S. Ct. 2302 (1988) 391
Fendler v. U.S. Bureau of Prisons
846 F.2d 550 (9th Cir. 1988) 419
Ferguson v. Perales [44,156]; Acc. No. 1011375
(N.Y. Sup. Ct., Kings County, Oct. 12, 1988) 1288

Fernacz v. Pennsylvania Unemployment Compensation Bd. of Review
545 A.2d 995 (Pa. Commw. Ct. 1988) 843
Fernandez v. Bowen
676 F. Supp. 550 (S.D.N.Y. 1988) 93
Fernandez v. Brock [39,922]
840 F.2d 622 (9th Cir. 1988) 194
Fernandez-Sosa v. Bowen
701 F. Supp. 74 (S.D.N.Y. 1988) 1453
Fewquay v. Page
682 F. Supp. 1195 (S.D. Fla. 1987) 298
Fields v. Fields
539 A.2d 708 (Md. App. Ct. 1988) 297
Fields v. Luther [43,434]; Acc. Nos. 1010758, 1010943
(D. Md. May 4, 1988);
(D. Md. July 12, 1988) 286, 503
Finik v. Illinois Dep't of Employment Sec.
524 N.E.2d 1148 (Ill. App. Ct. 1988) 545
Firestone Tire & Rubber Co. v. Bruch
109 S. Ct. 948 (1988) 1447
First Family Mortgage Corp. of Fla. v. Earnest
851 F.2d 843 (6th Cir. 1988) 696
First Nat'l Bank of Ada v. Aries [43,788]; Acc. No. 1011093 780
Fisher v. Koehler
692 F. Supp. 1519 (S.D.N.Y. 1988) 840
Fishman v. North Shore Agency [43,881]; Acc. No. 1011196
(N.Y. Sup. Ct., Kings County, Sept. 13, 1988) 782
Flagstaff Realty v. Ned [43,440]; Acc. No. 1010769
(N.J. Super. Ct., App. Div., Oct. 28, 1987) 285
Flax v. Potts [16,760]
680 F. Supp. 820 (N.D. Tex. 1988) 190
Flemm v. Bowen
698 F. Supp. 709 (N.D. Ohio 1988) 1323
Flores v. Concannon [44,141]; Acc. No. 1011359 1148
Flores v. Meese [39,665]; Acc. Nos. 1010661, 1011012
681 F. Supp. 665 (C.D. Cal. 1988);
(C.D. Cal. May 24, 1988) 68, 674
Florida v. Long
108 S. Ct. 2354 (1988) 420
Florida Dep't of Health & Rehabilitative Servs. v. Dubay
522 So. 2d 109 (Fla. Dist. Ct. App. 1988) 296
Florida Dep't of Health & Rehabilitative Servs. v. Hatfield
522 So. 2d 61 (Fla. Dist. Ct. App. 1988) 304
Florida Dep't of Health & Rehabilitative Servs. v. Whaley
531 So. 2d 723 (Fla. Dist. Ct. App. 1988) 1451
Florida Dep't of Health & Rehabilitative Servs. v. Williams
522 So. 2d 521 (Fla. App. Ct. 1988) 297
Flowers v. Fauver
683 F. Supp. 981 (D.N.J. 1988) 420
Flowers v. Perales [44,122]; Acc. No. 1011347
532 N.Y.S.2d 395 (1988) 1180
Floyd v. Bowen [37,121]; Acc. No. 1010630
833 F.2d 529 (5th Cir. 1987) 74
Floyd v. Sugarman [42,495]; Acc. Nos. 1010812, 1010880
(W.D. Wash. Apr. 14, 1988);
(W.D. Wash. June 24, 1988) 290, 409
Flynn v. Bowen [43,884]; Acc. No. 1011204 814
Foe v. Cuomo
700 F. Supp. 107 (E.D.N.Y. 1988) 1451
Fogarty v. Secretary of HHS
690 F. Supp. 166 (W.D.N.Y. 1988) 842
Footville State Bank v. Harvell
432 N.W.2d 122 (Wis. Ct. App. 1988) 1444
Ford Motor Credit Co. v. Dubs [43,354]; Acc. No. 1010688 164
Foster, *In re* [43,617]; Acc. No. 1010932
(SSA, Office of Hearings & App., June 27, 1988) ... 526
Foster v. Celani [37,205]; Acc. No. 1010882
849 F.2d 91 (2d Cir. 1988) 508
Fox v. Bowen
835 F.2d 1159 (6th Cir. 1987) 61
Fox v. Bowen [25,473]; Acc. No. 1010627 92
Francis v. Fox
838 F.2d 1147 (11th Cir. 1988) 195
Franco v. Kent Farm Village [44,149]; Acc. No. 1011369
(D.R.I. Sept. 16, 1988) 1290
Frank v. Kizer [44,157]; Acc. No. 1011374
(Cal. Super. Ct., Alameda
County, Dec. 20, 1988) 1299
Frankenfield v. Bowen
861 F.2d 405 (3d Cir. 1988) 1332
Franklin v. New Jersey Dep't of Human Servs. [43,608]; Acc. No. 1010925
543 A.2d 1 (N.J. 1988) 516
Frazee v. Seaview Toyota Pontiac, Inc.
695 F. Supp. 1406 (D. Conn. 1988) 1190
Frazier v. Priest [44,061]; Acc. No. 1011298
534 N.Y.S.2d 846 (Watertown City Ct. 1988) 1160
Frazier v. Southeastern Pa. Transp. Auth. [44,187]; Acc. No. 1011408 1294
Frederick v. Florida Dep't of Health & Rehabilitative Servs.
523 So. 2d 1164 (Fla. Ct. App. 1988) 418
Fredericks v. Durham [41,401]; Acc. No. 1011090
(Ky. Ct. App. Aug. 3, 1988) 794
Fromer v. Skully
693 F. Supp. 1536 (S.D.N.Y. 1988) 840
Fuchilla v. Prockop
682 F. Supp. 247 (D.N.J. 1987) 298
Fynes v. Weinberger
677 F. Supp. 315 (E.D. Pa. 1985) 87

—G—

G., *In re* [43,718]; Acc. No. 1011028
(S.C. Employment Security Comm'n
July 22, 1988) 686

G., *In re* [44,194]; Acc. No. 1011505
(SSA, Office of Hearings & App., Dec. 12, 1988) 1439
G., K., *In re*
531 So. 2d 575 (La. Ct. App. 1988) 1451
G., Winefred, *In re* [43,719]; Acc. No. 1011023
(S.S.A., Office of Hearings & App., May 18, 1988) 669
Gachuzo v. Minnesota Dep't of Human Servs. [43,563]; Acc. No. 1010886
(Minn. Ct. App. June 16, 1988) 530
Gagnon v. Atkins [43,814]; Acc. No. 1011101 789
Gallagher v. Wigginton [44,172]; Acc. No. 1011398 1307
Gallegos v. Haggerty [43,400]; Acc. No. 1010742
689 F. Supp. 93 (N.D.N.Y. 1988) 175
Gambrill v. Alfa Romeo, Inc.
696 F. Supp. 1047 (E.D. Pa. 1988) 1324
Gandenberg v. Barry [43,277]; Acc. Nos. 1010619, 1010846
(S.D. Ohio Mar. 2, 1988); (S.D. Ohio June 2, 1988) 62, 398
Ganzel v. Ganzel
520 So. 2d 112 (Fla. Dist. Ct. App. 1988) 86
Garcia v. Colorado Dep't. of Social Servs.
765 P.2d 1055 (Colo. Ct. App. 1988) 1454
Garcia v. Marion County Dep't of Pub. Welfare [43,392]; Acc. No. 1010733
(S.D. Ind. Mar. 17, 1988) 176
Garcia v. Petrettee [43,731]; Acc. No. 1011035
(Wash. Super. Ct., Spokane County, Aug. 16, 1988) 666
Gardebring v. Jenkins [42,576]
108 S. Ct. 1306 (1988) 198
Gardner v. Romano
688 F. Supp. 489 (E.D. Wis. 1988) 697
Garnett v. Bowen [43,399]; Acc. No. 1010741 181
Garrens v. Tennessee Dep't of Employment Sec. [43,539]; Acc. No. 1010849
(Tenn. Dep't of Employment Sec. Mar. 18, 1988) 409
Garvin v. Secretary of HHS [43,362]; Acc. No. 1010699
(1st Cir. Feb. 19, 1988) 182
Gary v. San Diego County Superior Court [44,087]; Acc. No. 1011317 1145
Garza v. Mabton School Dist. [43,433]; Acc. No. 1010763
(E.D. Wash. Mar. 28, 1988) 286
Gaspard v. Adult & Family Serv. Div.
765 P.2d 233 (Or. Ct. App. 1988) 1455
Gatson v. Bowen [43,603]
838 F.2d 442 (10th Cir. 1988); 854 F.2d 379 (10th Cir. 1988) 197, 830
Gay Veterans Ass'n v. Secretary of Defense [43,635]; Acc. No. 1010962
850 F.2d 764 (D.C. Cir. 1988) 528
Gee v. Cripe
853 F.2d 510 (7th Cir. 1988) 698
Gee v. Mass Transit Admin.
540 A.2d 1194 (Md. App. 1988) 413
General Motors Acceptance v. Greene [43,432]; Acc. No. 1010760
(Ohio Ct. App. Dec. 31, 1987) 268
Gentry v. Simmons
754 S.W.2d 579 (Mo. Ct. App. 1988) 833
George v. Bowen
692 F. Supp. 215 (S.D.N.Y. 1988) 842
George v. Donovan
757 P.2d 651 (Idaho 1987) 695
Georgia Ass'n of Retarded Citizens v. McDaniel [30,742]
855 F.2d 805 (11th Cir. 1988); 855 F.2d 794 (11th Cir. 1988) 830, 832
Georgia Dep't of Medical Assistance v. Bowen
846 F.2d 708 (11th Cir. 1988) 416
Gerstein v. Bowen
680 F. Supp. 1200 (N.D. Ill. 1988) 197
Geyen v. Secretary of HHS
850 F.2d 263 (5th Cir. 1988) 700
Gibson v. Bowen [43,622]; Acc. No. 1010935 525
Giles v. Adoption of Hinchee [43,964]; Acc. No. 1011233 1137
Gillespie v. Cherry Creek Nat'l Bank [43,321]; Acc. No. 1010650 55
Gleiss v. Newman
415 N.W.2d 845 (Wis. Ct. App. 1987) 86
Glendenning v. Duffy [39,785]; Acc. No. 1010913
(N.D. Ill. July 1, 1988) 508
Glenn v. Florida Unemployment Appeals Comm'n
516 So. 2d 88 (Fla. Dist. Ct. App. 1987) 93
Glick v. Henderson
855 F.2d 536 (8th Cir. 1988) 838
Global Home Care v. Florida Dep't of Labor & Employment Sec.
521 So. 2d 220 (Fla. Dist. Ct. App. 1988) 304
Glover v. Eastern Neb. Community Office of Retardation
686 F. Supp. 243 (D. Neb. 1988) 539
Glover v. Johnson [23,446]
855 F.2d 277 (6th Cir. 1988) 838
Goebel v. Colorado Dep't of Insts. [39,426]; Acc. No. 1011319
764 P.2d 785 (Colo. 1988) 1162
Goluszek v. Smith
697 F. Supp. 1452 (N.D. Ill 1988) 1327
Gomez v. City of Watsonville
863 F.2d 1407 (9th Cir. 1988) 1447
Gonzalez v. Bowen [42,747]; Acc. No. 1010970
(E.D. Wis. July 8, 1988) 682
Good Neighbor Care Centers, Inc. v. Minnesota Dep't of Human Servs.
428 N.W.2d 397 (Minn. Ct. App. 1988) 1195
Gooden v. Blanding
686 F. Supp. 896 (S.D. Fla. 1988) 691
Goodrich v. Bowen [43,572]; Acc. No. 1010890 524
Goodro v. Bowen
854 F.2d 313 (8th Cir. 1988) 830

Gowen v. Bowen
855 F.2d 613 (8th Cir. 1988) 830
Graham v. Cowherd [44,035]; Acc. No. 1011267 ... 1144
Graham v. Security Sav. & Loan [43,466]; Acc. No. 1010803 271
Gray, *In re* [43,431]; Acc. No. 1010757
(Mich. Dep't of Social Servs., Bureau of Administrative Hearings, June 13, 1986) 293
Gray, *In re* [43,885]; Acc. No. 1011201
(Ariz. Dep't of Economic Sec., Office of Appeals, Aug. 10, 1988) 821
Gray v. Bowen
692 F. Supp. 800 (N.D. Ill. 1988) 841
Green v. Aluminum Co. of Am.
760 S.W.2d 378 (Tex. Ct. App. 1988) 1448
Green v. Illinois Dep't of Pub. Aid
520 N.E.2d 860 (Ill. App. Ct. 1988) 416
Green v. Industrial Claim Appeals Office
765 P.2d 1064 (Colo. Ct. App. 1988) 1453
Greenhow v. Secretary of HHS
848 F.2d 963 (9th Cir. 1988) 538
Greenway v. Johnson [43,714]; Acc. No. 1011020 678
Greer v. St. Tammany Parish Jail
693 F. Supp. 502 (E.D. La. 1988) 839
Gregory, *In re* [43,671]; Acc. No. 1010980
(Ohio Dep't of Human Servs. Sept. 1, 1988) 690
Gresham v. Harris
695 F. Supp. 1179 (N.D. Ga. 1988) 1192
Grieger v. Sheets
689 F. Supp. 835 (N.D. Ill. 1988) 697
Griffith v. Johnston [44,036]; Acc. No. 1011260 1157
Gross v. Perales
527 N.E.2d 1205 (N.Y. 1988) 1190
Gross v. Quinn [44,178]; Acc. No. 1011402
(Me. Super. Ct., Kennebec County, Sept. 1, 1988) 1288
Grubb, Marriage of, *In re* [43,335]; Acc. No. 1010672
(Colo. Sup. Ct. Nov. 9, 1987) 57
Guadamuz v. Bowen
859 F.2d 762 (9th Cir. 1988) 1187
Guerriere, *In re* [43,378]; Acc. No. 1010717
(Ohio Dep't of Human Servs. Apr. 14, 1988) 187
Guidotti v. County of Yolo [40,727]; Acc. No. 1010647 80
Guillory v. Louisiana Office of Employment Sec.
525 So. 2d 1197 (La. Ct. App. 1988) 545
Gulley v. Patterson [43,867]; Acc. No. 1011174 822
Gumpl v. Seiter
689 F. Supp. 754 (S.D. Ohio 1987) 699
Gunther, *Ex parte*
758 S.W.2d 226 (Tex. 1988) 1445
Guo-Jun Cheng v. Ilchert
698 F. Supp. 825 (N.D. Cal. 1988) 1329
Guthmiller v. North Dakota Dep't of Human Servs.
421 N.W.2d 469 (N.D. 1988) 414
Gutierrez v. Coughlin
841 F.2d 484 (2d Cir. 1988) 195
Guyton v. City of Alameda [44,257]; Acc. No. 1011476 1443

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—H—

H., B., *In re* [43,642]; Acc. No. 1010951
(SSA, Office of Hearings & App., July 12, 1988) 526
H., Lynette, *In re*
374 S.E.2d 272 (N.C. 1988) 1330
Haas v. Bowen
694 F. Supp. 85 (M.D. Penn. 1988) 842
Haas v. Smith [44,158]; Acc. No. 1011384
(Cal. Super. Ct., Sutter County, Nov. 7, 1988) 1293
Hadaller v. Shinpoch [43,747]; Acc. No. 1011040
(Wash. Super. Ct., Thurston County,
Apr. 15, 1988) 688
Hadden v. Bowen [42,327]
851 F.2d 1266 (10th Cir. 1988) 691
Hadix v. Johnson
694 F. Supp. 259 (E.D. Mich. 1988) 839
Hagner Management Corp. v. Lawson [43,207]; Acc. No. 1010668
534 A.2d 343 (D.C. 1987) 69
Haitian Refugee Center, Inc. v. Nelson
694 F. Supp. 864 (S.D. Fla. 1988) 837
Haley v. Haley
549 A.2d 1316 (Pa. Super. Ct. 1988) 1326
Hall v. Freeman
700 F. Supp. 1106 (N.D. Ga. 1987) 1449
Hall v. United States Postal Serv.
857 F.2d 1073 (6th Cir. 1988) 1194
Halpin v. Florida Unemployment Appeals Comm'n
516 So. 2d 1027 (Fla. Dist. Ct. App. 1987) 93
Hamilton v. Lyng [43,557]; Acc. No. 1010873 397
Hanks v. Department of Social Servs. [43,732]; Acc. No. 1011032
426 N.W.2d 759 (Mich. Ct. App. 1988) 687
Hanson v. Leckey
754 S.W.2d 292 (Tex. Ct. App. 1988) 1191
Hardesty v. Burnham [43,379]; Acc. No. 1010716 173
Hardin v. Caldwell (*In re* Caldwell)
851 F.2d 852 (6th Cir. 1988) 692
Hardin v. Folger [44,134]; Acc. No. 1011350
704 F. Supp. 355 (W.D.N.Y. 1988) 1134
Harper, Marriage of, *In re*
764 P.2d 1283 (Mont. 1988) 1445
Harper v. Bertelsen
See Harper v. Greely
Harper v. Bowen
854 F.2d 678 (4th Cir. 1988) 832
Harper v. Greely [43,746]; Acc. Nos. 1011047, 1011255
(Mont. Dist. Ct., Lewis & Clark County, Aug. 16,
1988); 763 P.2d 650 (Mont. 1988) 662, 1140
Harper v. Kemp
677 F. Supp. 1213 (M.D. Ga. 1988) 91
Harper v. Washington [43,636]; Acc. No. 1010961
759 P.2d 358 (Wash. 1988) 521
Harris v. Fleming
839 F.2d 1232 (7th Cir. 1988) 195
Harris v. Siegelman
695 F. Supp. 517 (M.D. Ala. 1988);
700 F. Supp. 1083 (M.D. Ala. 1988) 1192, 1447
Harrison v. Marsh
691 F. Supp. 1223 (W.D. Mo. 1988) 835
Hart v. McMahon [42,138]; Acc. No. 1010813
(Cal. Super. Ct., Plumas County, May 9, 1988) 292
Hart v. Roseman [44,074]; Acc. No. 1011308
(D.C. Super. Ct., Civ. Div., Nov. 22, 1988) 1150
Harwood v. Johnson
374 S.E.2d 401 (N.C. Ct. App. 1988) 1332
Hatfield v. Bowen
685 F. Supp. 478 (W.D. Pa. 1988) 545
Hawthorne v. Universal Studios, Inc.
432 N.W.2d 759 (Minn. Ct. App. 1988) 1454
Head v. Jellico Hous. Auth. [42,444]; Acc. No. 1010852 401
Headlee v. Bowen [42,485]; Acc. No. 1010779 265
Healea v. Bowen [42,500]
859 F.2d 43 (7th Cir. 1988) 1199
Healy v. New York Life Ins. Co.
860 F.2d 1209 (3d Cir. 1988) 1193
Heart v. Ellenbecker
689 F. Supp. 988 (D.S.D. 1988) 697
Heastie v. Community Bank of Greater Peoria [43,723]; Acc. No. 1011018
690 F. Supp. 716 (N.D. Ill. 1988) 659
Heath v. DeCourcy [42,342]; Acc. Nos. 1011052, 1011426
(S.D. Ohio May 24, 1988);
704 F. Supp. 799 (S.D. Ohio 1988) 678, 1308
Hedge v. Lyng [41,228]
689 F. Supp. 898 (D. Minn. 1988) 700
Heilig-Meyers Furniture, *In re* [43,479]; Acc. No. 1010818
(Va. State Bar Dec. 17, 1987) 265
Heins v. Pennsylvania Unemployment Compensation Bd. of Review
534 A.2d 592 (Pa. Commw. Ct. 1987) 94
Helman v. AMF, Inc.
675 F. Supp. 1163 (S.D. Ind. 1987) 87
Helmick v. Cincinnati Word Processing [44,226]; Acc. No. 1011463 1425
Henderson v. North Carolina Dep't of Human Resources
372 S.E.2d 887 (N.C. Ct. App. 1988) 1200
Hendricks v. Bowen
847 F.2d 1255 (7th Cir. 1988) 536
Henry v. Housing Auth. of New Haven [42,760]; Acc. No. 1010701
(D. Conn. Feb. 18, 1988) 172
Henslee v. Madison Guar. Sav. & Loan
760 S.W.2d 842 (Ark. 1988) 1444
Hensley v. Wilson
850 F.2d 269 (6th Cir. 1988) 698
Hernandez, *In re* [43,689]; Acc. No. 1010987
(SSA, Office of Hearings & App.,
June 30, 1988) 684

Hernandez v. Bowen [43,769]; Acc. No. 1011051
(E.D. Wash. July 21, 1988) 682
Hernandez v. Clarkfield Fertilizer [43,767]; Acc. No. 1011070 809
Hernandez v. Denton
861 F.2d 1421 (9th Cir. 1988) 1331
Hernandez v. McMahon [43,771]; Acc. No. 1011071 826
Herold v. Hajoca Corp.
682 F. Supp. 297 (W.D. Va. 1988) 296
Heschke v. County of Sheboygan [44,211]; Acc. No. 1011444
(Wis. Cir. Ct., Sheboygan County, Nov. 7, 1988) ... 1320
Hickey v. Duffy [43,031]; Acc. No. 1011228
(Ill. Cir. Ct., DuPage County, Feb. 18, 1988) 1182
Hicks v. Felock
108 S. Ct. 1423 (1988) 190
Hidahl v. Gilpin County Dep't of Social Servs.
699 F. Supp. 846 (D. Colo. 1988) 1323
High v. Lane [43,380]; Acc. No. 1010743 180
Highland Glen Ltd. Partnership v. Hawkins [43,551]; Acc. No. 1010867
(Pa. C.P. Ct., Lebanon County, May 23, 1988) 404
Hill v. Bowen [42,871]; Acc. No. 1010712 180
Hill v. Erickson [44,096]; Acc. No. 1011325 1158
Hill v. Southside Pub. Schools
688 F. Supp. 493 (E.D. Ark. 1988) 692
Hillburn v. Commissioner Conn. Dep't of Income Maintenance
683 F. Supp. 23 (D. Conn. 1987) 412
Hiller v. Board of Educ. of Brunswick Cent. School Dist.
687 F. Supp. 735 (N.D.N.Y. 1988) 695
Hillibush v. United States Dept. of Labor Benefits Review Bd.
853 F.2d 197 (3d Cir. 1988) 695
Hiltebeitel v. Pennsylvania Unemployment Compensation Bd. of Review
550 A.2d 872 (Pa. Commw. Ct. 1988) 1454
Hines v. Perales [44,173]; Acc. No. 1011399 1318
Hodge, *In re* [43,997]; Acc. No. 1011257
(Ky. Dep't for Social Ins., Hearing Branch, Oct. 28, 1988) 1185
Hodge v. New Mexico Community Junior College Dist. [43,449]; Acc. No. 1010778
(D.N.M. Dec. 11, 1987) 272
Hodges v. Scully
529 N.Y.S.2d 832 (N.Y. App. Div. 1988) 832
Hodgkins, *In re* [43,899]; Acc. No. 1011211
(Me. Unemployment Ins. Comm'n Aug. 11, 1988) 1176
Hoerner v. VA
675 F. Supp. 999 (D. Md. 1987) 94
Hoffman v. Otwell [43,637]; Acc. No. 1010948 522
Holiday Inn v. Decker [43,320]; Acc. No. 1010652 77
Holladay v. Bowen
848 F.2d 1206 (11th Cir. 1988) 544
Hollenbeck v. Board of Educ.
699 F. Supp. 658 (N.D. Ill. 1988) 1328
Holley v. Housing Auth. of City of Austin [43,198]; Acc. No. 1010754
(W.D. Tex. Mar. 14, 1988) 279
Hollis v. United States Dep't of Army
856 F.2d 1541 (D.C. Cir. 1988) 1200
Holly v. Housing Auth. of New Orleans [43,452]; Acc. No. 1010799
(E.D. La. May 11, 1988) 278
Holmberg v. Bowen
687 F. Supp. 1370 (D.S.D. 1988) 692
Holmes v. District of Columbia
680 F. Supp. 40 (D.D.C. 1988) 189
Holmes v. Hardy
852 F.2d 151 (5th Cir. 1988) 698
Holmes v. Sobol [43,645]; Acc. No. 1010956
690 F. Supp. 154 (W.D.N.Y. 1988) 510
Holz, *In re*
See Holz v. South Dakota Dep't of Labor
Holz v. South Dakota Dep't of Labor [43,727]; Acc. Nos. 1011027, 1011332 ..... 698, 1175
Hood v. Alabama State Personnel Bd.
516 So. 2d 680 (Ala. Civ. App. 1987) 87
Hopkins v. Bowen
850 F.2d 417 (8th Cir. 1988) 700
Hopland Band of Pomo Indians v. United States
855 F.2d 1573 (Fed. Cir. 1988) 1197
Horbatenko v. Lepkyj [44,095]; Acc. No. 1011326
531 N.E.2d 1011 (Ill. App. Ct. 1988) 1291
Horn v. City of Chicago
860 F.2d 700 (7th Cir. 1988) 1188
Horowitz v. Perales [44,196]; Acc. No. 1011419 1318
Horsefield v. Unemployment Compensation Bd. of Review
531 A.2d 829 (Pa. Commw. Ct. 1987) 94
Horstead v. Lyng [43,375]; Acc. Nos. 1010714, 1011009 ..... 167, 663
Hose v. Bowen [43,405]; Acc. No. 1010747
(E.D. Va. Dec. 1, 1987) 288
Hossic v. United States
682 F. Supp. 23 (M.D. Pa. 1987) 303
Houck v. Bowen [44,150]; Acc. No. 1011366 1311
Housing Auth. of Harlan v. Simpson [44,162]; Acc. No. 1011387
(Ky. Cir. Ct., Harlan County, June 7, 1988) 1304
Housing Auth. of Madisonville v. Adams [43,540]; Acc. No. 1010857
(Ky. Dist. Ct., Hopkins County, Mar. 21, 1988) 402
Housing Auth. of St. Louis County v. Boone [43,799]; Acc. No. 1011194
747 S.W.2d 311 (Mo. Ct. App. 1988) 300, 802
Housing Auth. of St. Louis County v. Lovejoy [44,190]; Acc. No. 1011415
762 S.W.2d 843 (Mo. Ct. App. 1988) 1303
Houston v. City of Cocoa [44,272]; Acc. No. 1011488 1429
Houston v. Lack
108 S. Ct. 2379 (1988) 418
Howard v. Malcolm [40,787]
852 F.2d 101 (4th Cir. 1988) 697

Howard v. Recovery Consultant, Inc. [43,766]; Acc. No. 1011069
(Lorain, Ohio, Mun. Ct. May 26, 1988) 782
Howard Gault Co. v. Texas Rural Legal Aid [43,623]; Acc. No. 1010939
848 F.2d 544 (5th Cir. 1988) 520
Hoyesen v. Prete [43,364]; Acc. No. 1010702 172
Hubbard v. Metropolitan Dev. & Hous. Agency [43,785]; Acc. No. 1011083
(M.D. Tenn. Dec. 23, 1987) 800
Hudler v. Cole
374 S.E.2d 39 (Va. 1988) 1450
Hughes v. Horsley [43,869]; Acc. Nos. 1011178, 1011422
(M.D. Ala. July 26, 1988);
(M.D. Ala. Dec. 12, 1988) 791, 1286
Humble v. Illinois Dep't of Pub. Aid [43,287]; Acc. No. 1010625
(Ill. App. Ct. Feb. 2, 1988) 81
Hunt v. Van Cura [44,084]; Acc. No. 1011330 1169
Hunter v. Intermodal, Inc. [44,123]; Acc. No. 1011346 1140
Huntington Branch, NAACP v. Town of Huntington
844 F.2d 926 (2d Cir. 1988) 416
Hurley v. Bowen
857 F.2d 907 (2d Cir. 1988) 1194
Hussion v. Lyng [41,616]; Acc. No. 1010700
(N.D. Ga. Apr. 18, 1988) 163
Hutchinson v. Bowen
676 F. Supp. 72 (D.N.J. 1988) 84
Hutchinson v. Ratzlaff [43,825]; Acc. No. 1011119 796
Hutchison v. Bowen
697 F. Supp. 1401 (E.D. Va. 1988) 1333
Hyde v. Hibernia Nat'l Bank
861 F.2d 446 (5th Cir. 1988) 1324

—I—

I. v. Clausen
676 F. Supp. 717 (M.D. La. 1988) 84
I. v. M. [43,621]; Acc. No. 1010936
758 P.2d 22 (Wyo. Sup. Ct. 1988) 506
I., A., *In re* [44,164]; Acc. No. 1011390
(S.S.A., Office of Hearings & App., Oct. 3, 1988) 1301
Ierulli, Estate of v. Rosler
528 N.E.2d 1008 (Ill. App. Ct. 1988) 1325
Ihler v. South [43,453]; Acc. No. 1010791 285
Illinois v. Jihan [42,991]; Acc. No. 1010973 667
Illinois v. Orr [44,135]; Acc. No. 1011353
531 N.E.2d 64 (Ill. App. Ct. 1988) 1163
Illinois v. R.C.
529 N.E.2d 756 (Ill. App. Ct. 1988) 1330
Illinois *ex rel.* Sheppard v. Money
529 N.E.2d 542 (Ill. 1988) 1324
Illinois Welfare Rights Movement Org. v. Duffy [44,097]; Acc. No. 1011324
(N.D. Ill. Oct. 28, 1988) 1178
In-Home Health Servs., *In re* [43,334]; Acc. No. 1011170
(SSA, Office of Hearings & App., Aug. 3, 1988) 794
Infant Anonymous, Adoption of, *In re* [43,787]; Acc. No. 1011081
(Utah Ct. App. Sept. 1, 1988) 784
Ingles v. Indiana Dep't of Pub. Welfare [44,212]; Acc. No. 1011447
(Ind. Cir. Ct., St. Joseph County, Dec. 21, 1988) ... 1299
Ingram, Marriage of, *In re*
531 N.E.2d 97 (Ill. App. Ct. 1988) 1325
Ingram v. Dallas County, Tex.
688 F. Supp. 1146 (N.D. Tex. 1988) 693
Inmates of the Allegheny County Jail v. Wecht [21,698]
699 F. Supp. 1137 (W.D. Pa. 1988) 1452
INS v. Pangilinan
108 S. Ct. 2210 (1988) 417
Insured Fin. Acceptance v. Hill [44,268]; Acc. No. 1011485 1422
Inter-Tribal Council of Nev., Inc. v. Hodel
856 F.2d 1344 (9th Cir. 1988) 838
International Union, UAW v. Johnson Controls, Inc.
680 F. Supp. 309 (E.D. Wis. 1988) 191
Investors Diversified Property Management, Inc. v. Brown [44,058]; Acc. No. 1011286
(Tenn. Ct. App. Oct. 7, 1988) 1154
Iowa v. Fink
432 N.W.2d 700 (Iowa Ct. App. 1988) 1446
Ipina v. Michigan Dept. of Management & Budget
699 F. Supp. 132 (W.D. Mich. 1988) 1327
Irby v. Fitz-Hugh
692 F. Supp. 610 (E.D. Va. 1988);
693 F. Supp. 424 (E.D. Va. 1988) 834
Irizarry Rivera v. HHS
689 F. Supp. 42 (D.P.R. 1988) 692
IRS Ruling on Legislative & Political Activities of Exempt Orgs. (GCM 39694), *In re* [43,796]; Acc. No. 1011239
IRS Pos. Rep. (CCH) 2006, (Jan. 21, 1988) 1173
Irving v. Walker [44,269]; Acc. No. 1011486 1421
Isaacs v. Bowen [43,930]; Acc. No. 1011423
683 F. Supp. 930 (S.D.N.Y. 1988);
865 F.2d 468 (2d Cir. 1989) 416, 1297
Israel v. Virginia Employment Comm'n [44,081]; Acc. No. 1011310
(Va. Ct. App. Sept. 20, 1988) 1174
ITT Fin. Servs. v. Hannona [43,402]; Acc. No. 1010746
(Va. Dist. Ct., Prince William County, Feb. 16, 1988) 270
Iturriaga v. Oregon Garden Products, Inc. [44,059]; Acc. No. 1011285 1143

—J—

J., *In re* [44,179]; Acc. No. 1011401
(SSA, Office of Hearings & App., Dec. 15, 1988) . . . 1311
J. v. Chaffee [43,690]; Acc. No. 1010988 675
J. v. Massinga
See J., L. v. Massinga
J., L. v. Massinga [43,403]; Acc. No. 1010726
838 F.2d 118 (4th Cir. 1988);
699 F. Supp. 508 (D. Md. 1988) 175, 1329
J., R., *In re*
431 N.W.2d 708 (Wis. Ct. App. 1988) 1451
Jabbar v. Secretary of HHS
855 F.2d 295 (6th Cir. 1988) 841
Jabbari v. Illinois Human Rights Comm'n
527 N.E.2d 480 (Ill. App. Ct. 1988) 1193
Jack Moritz Co. Management v. Walker [44,273]; Acc. No. 1011489
429 N.W.2d 127 (Iowa 1988) 1432
Jackson v. Birmingham Bd. of Educ.
695 F. Supp. 1164 (N.D. Ala. 1988) 1193
Jackson v. Grinker [42,988]; Acc. No. 1011381
(S.D.N.Y. Jan. 4, 1989) 1314
Jackson v. Jackson
857 F.2d 951 (4th Cir. 1988) 1193
Jackson v. Maine
544 A.2d 291 (Me. 1988) 695
Jacobson v. Employment Appeal Bd. [43,984]; Acc. No. 1011243
(Iowa Dist. Ct., Black Hawk County,
Oct. 26, 1988) 1175
James, *In re* [44,072]; Acc. No. 1011306
(Mich. Dep't of Social Servs., Bureau of Admin.
Hearings, May 9, 1988) 1186
James v. Bowen [43,748]; Acc. No. 1011042
(M.D. Fla. July 27, 1988) 657
James v. Hodel
696 F. Supp. 699 (D.D.C. 1988) 1330
James River Corp. v. Employment Div.
765 P.2d 217 (Or. Ct. App. 1988) 1454
Jarvis, *In re* [42,635]; Acc. No. 1010628
(Minn. Sup. Ct. Mar. 3, 1988);
433 N.W.2d 120 (Minn. Ct. App. 1988) 71, 1451
Jarvis v. Levine
See Jarvis, *In re*
Jefferson v. Bowen
837 F.2d 461 (11th Cir. 1988) 189
Jefferson County Bd. of Educ. v. Breen [42,815]
853 F.2d 853 (11th Cir. 1988) 695
Jeffords v. Ives [43,951]; Acc. No. 1011213 1183
Jenkins v. Bowen [43,698]; Acc. No. 1011000 681
Jenkins v. Bowen
861 F.2d 1083 (8th Cir. 1988) 1332
Jenkins v. Landmark Mortgage Corp. of Va. [44,124]; Acc. No. 1011345
696 F. Supp. 1089 (W.D. Va. 1988) 1134
Jenkins v. Missouri
838 F.2d 260 (8th Cir. 1988) 188
Jensen v. Siemsen [44,283]; Acc. No. 1011508 1439
Jetton v. Caughron [43,765]; Acc. No. 1011068
(M.D. Tenn. Aug. 24, 1988) 780
Jetton v. Martin [43,305]; Acc. No. 1010673 69
Jiggetts v. Grinker [43,124]; Acc. No. 1011224 1180
Jiminez v. The Dartmouth Plan [44,282]; Acc. No. 1011503 1422
Joe v. Pennsylvania Hous. Fin. Agency
539 A.2d 920 (Pa. 1988) 300
John v. City of Salamanca
845 F.2d 37 (2d Cir. 1988) 418
Johnson, *In re* [43,607]; Acc. No. 1010922
(Mich. Employment Sec. Comm'n Mar. 30, 1987) . . . 527
Johnson v. Bowen
687 F. Supp. 1284 (W.D. Wis. 1988) 701
Johnson v. Bowen [35,037]; Acc. No. 1011252
697 F. Supp. 346 (N.D. Ill. 1988) 1169
Johnson v. Bowen
698 F. Supp. 1016 (D. Mass. 1988) 1333
Johnson v. Cohen [38,485]; Acc. No. 1010648
836 F.2d 798 (3d Cir. 1987) 78
Johnson v. Commissioner of Correctional Servs.
699 F. Supp. 1071 (S.D.N.Y. 1988) 1452
Johnson v. Crossville Hous. Auth. [44,274]; Acc. No. 1011490
(M.D. Tenn. Jan. 5, 1989) 1430
Johnson v. Fair
697 F. Supp. 567 (D. Mass. 1988) 1331
Johnson v. Human Rights Comm'n
527 N.E.2d 883 (Ill. App. Ct. 1988) 1193
Johnson v. Johnson
758 S.W.2d 721 (Mo. Ct. App. 1988) 1191
Johnson v. Johnson
532 So. 2d 503 (La. Ct. App. 1988) 1446
Johnson v. McNeil [44,252]; Acc. No. 1011471
(D.C. Super. Ct., Civ. Div., Jan. 19, 1989) 1421
Johnson v. Morris
367 S.E.2d 841 (Ga. App. 1988) 696
Johnson v. Swann
550 A.2d 703 (Md. 1988) 1450
Johnson v. Utah State Retirement Office [43,481]; Acc. No. 1010832
755 P.2d 161 (Utah 1988) 406
Johnston v. Ellenbecker [43,724]; Acc. Nos. 1011026, 1011331
692 F. Supp. 1099 (D.S.D. 1988) 664, 1143
Jones v. Bowen
682 F. Supp. 1176 (D. Kan. 1986) 296
Jones v. Bowen
692 F. Supp. 887 (N.D. Ill. 1988) 841
Jones v. Bowen
699 F. Supp. 693 (N.D. Ill. 1988) 1332
Jones v. Bowen
696 F. Supp. 1415 (D. Kan. 1988) 1333
Jones v. Chicago Transit Auth. [43,383]; Acc. No. 1010725
(Ill. Human Rights Comm'n Jan. 15, 1988) 168

Jones v. Coughlin
696 F. Supp. 916 (S.D.N.Y. 1988) 1331
Jones v. Hanley Dawson Cadillac Co.
848 F.2d 803 (7th Cir. 1988) 538
Jones v. HHS
843 F.2d 851 (5th Cir. 1988) 303
Jones v. Johnston [43,857]; Acc. No. 1011157 806
Jones v. Jones
369 S.E.2d 478 (Ga. 1988) 536
Jones v. Lamb [44,229]; Acc. No. 1011461
(E.D. Va. Nov. 3, 1988) 1431
Jones v. Milwaukee County [44,197]; Acc. Nos. 1011418, 1011502
(Wis. Cir. Ct., Milwaukee County, Dec. 16, 1988) 1320, 1441
Jones v. Preuit & Mauldin [41,290]
851 F.2d 1321 (11th Cir. 1988) 692
Jones v. Tri-County Growers [43,278]; Acc. Nos. 1010620, 1010860
(W. Va. Sup. Ct. App. Feb. 25, 1988); (W. Va. Cir. Ct., Berkeley County, Apr. 12, 1988) 73, 405
Jones v. Turnage
699 F. Supp. 795 (N.D. Cal. 1988) 1333
Jordan v. Central La. Tel. Co.
525 So. 2d 1079 (La. Ct. App. 1988) 539
Jordan v. Pennsylvania Unemployment Compensation Bd. of Review
547 A.2d 811 (Pa. Commw. Ct. 1988) 1200
Josey v. Employment Sec. Comm'n of N.C.
367 S.E.2d 675 (N.C. 1988) 423
Joyner v. Bowen
700 F. Supp. 1 (W.D.N.Y. 1988) 1443
Joyner v. Jonathan Woodner Co. [43,293]; Acc. No. 1010634 70
Junior v. Housing Auth. of New Orleans [39,421]; Acc. No. 1011437
(E.D. La. Nov. 23, 1988) 1302

—K—

K. v. Board of Educ. of Chicago [31,144]; Acc. No. 1010811
847 F.2d 1243 (7th Cir. 1988) 274
K. v. Department of Health & Rehabilitative Servs. [44,148]; Acc. No. 1011367
537 So. 2d 633 (Fla. Dist. Ct. App. 1988) 1316
K., G.J., *In re*
370 S.E.2d 490 (Ga. Ct. App. 1988) 833
K., L. v. Gregg [40,352]
425 N.W.2d 813 (Minn. 1988) 831
K., R., *In re*
535 So. 2d 312 (Fla. Dist. Ct. App. 1988) 1451
K., S.S., *In re*
422 N.W.2d 450 (Wis. Ct. App. 1988) 418
Kadrmas v. Dickinson Pub. Schools [42,679]; Acc. No. 1010881
108 S. Ct. 2481 (1988) 506
Kaganove v. EPA
856 F.2d 884 (7th Cir. 1988) 835
Kale v. Combined Ins. Co. of Am.
861 F.2d 746 (1st Cir. 1988) 1326
Kali v. Bowen [42,098]
854 F.2d 329 (9th Cir. 1988) 830
Kane v. Indiana Dep't of Pub. Welfare [44,181]; Acc. No. 1011405
(Ind. Cir. Ct., St. Joseph County, Oct. 27, 1988) 1300
Kansas v. Stewart
763 P.2d 572 (Kan. 1988) 1190
Karliner v. Bowen
676 F. Supp. 57 (S.D.N.Y. 1988) 93
Kattan v. District of Columbia
691 F. Supp. 1539 (D.D.C. 1988) 835
Kay v. HHS
683 F. Supp. 136 (D.S.C. 1988) 423
Kean v. Kean
754 S.W.2d 922 (Mo. Ct. App. 1988) 1191
Keeling v. Ford Motor Credit [43,377]; Acc. No. 1010830
550 A.2d 932 (Md. 1988) 269, 1444
Keith v. Volpe [7519]
858 F.2d 467 (9th Cir. 1988) 1195
Kelley v. Bowen
687 F. Supp. 704 (D. Mass. 1988) 702
Kelley v. Rutherfoord [43,299]; Acc. No. 1010641
(Roanoke, Va., Cir. Ct. May 28, 1987) 71
Kelley v. TYK Refractories Co.
860 F.2d 1188 (3d Cir. 1988) 1189
Kelly v. Lopeman [41,535]
680 F. Supp. 1101 (S.D. Ohio 1987) 197
Kelsey v. Bowen
681 F. Supp. 595 (N.D. Ind. 1988) 303
Kendall v. Brock [44,126]; Acc. No. 1011344
689 F. Supp. 354 (D. Vt. 1988) 1142
Kennedy v. Maine [32,203]; Acc. No. 1010942
(Me. Super. Ct., Cumberland County, Apr. 6, 1988) 514
Kentucky Fin. Co. v. Miller [43,297]; Acc. No. 1010637
(Ky. Cir. Ct., Warren County, Mar. 21, 1988) 56
Kerlin v. Ginter [43,880]; Acc. No. 1011195
(N.D. Ohio Sept. 28, 1988) 812
Kerr Center Parents Assoc. v. Charles
842 F.2d 1052 (9th Cir. 1988) 299
Ketterman, *In re* [44,227]; Acc. No. 1011458
(Va. Hous. Dev. Auth. Nov. 28, 1988) 1433
King v. Department of Social & Health Servs.
756 P.2d 1303 (Wash. 1988) 697
King v. North Carolina Dep't of Human Resources [43,842]; Acc. No. 1011139 826
Kinney v. Bowen [43,263]; Acc. No. 1010599 75
Kirchgatter v. Arden [43,564]; Acc. No. 1010885
(Colo. Dist. Ct., Denver County, June 16, 1988) 523
Kirk v. Department of Indus. Relations
521 So. 2d 1343 (Ala. Civ. App. 1988) 304
Kiviniemi v. Narramore [43,369]; Acc. No. 1010709
(Tenn. Ch. Ct., Rutherford County, Nov. 10, 1987) 177

Klein, *In re* [43,886]; Acc. No. 1011202
(SSA, Office of Hearings & App., Aug. 30, 1988) ... 819
Klein v. Bowen
696 F. Supp. 1249 (N.D. Iowa 1988) 1333
Kneece v. Kneece [43,774]; Acc. No. 1011073
370 S.E.2d 288 (S.C. Ct. App. 1988) 783
Knight v. Bowen [42,319]
690 F. Supp. 1121 (D. Mass. 1988) 841
Knight v. District of Columbia
691 F. Supp. 1567 (D.D.C. 1988) 835
Knight v. Mills
836 F.2d 659 (1st Cir. 1987) 90
Knipper, *In re*
528 N.E.2d 1319 (Ohio Ct. App. 1987) 1326
Knop v. Johnson
685 F. Supp. 636 (W.D. Mich. 1988);
700 F. Supp. 1457 (W.D. Mich. 1988) 543, 1443
Knouse Foods Coop., Inc. v. Pennsylvania Unemployment Compensation Bd. of Review
540 A.2d 626 (Pa. Commw. Ct. 1988) 302
Knowles v. Knowles
522 So. 2d 477 (Fla. App. Ct. 1988) 297
Knoxville Util. Bd. v. Butts [43,342]; Acc. No. 1010680
(Civil Serv. Merit Bd. Apr. 5, 1988) 166
Koszewski v. Bowen
700 F. Supp. 10 (W.D. Pa. 1988) 1453
Kubick v. Child & Family Serv. of Mich., Inc.
429 N.W.2d 881 (Mich. Ct. App. 1988) 1328
Kungys v. United States
108 S. Ct. 1537 (1988) 300
Kyle v. Albright [43,454]; Acc. No. 1010793 269

—L—

L., N., *In re*
754 P.2d 863 (Okla. 1988) 543
Lac Courte Oreilles Band of Indians v. Wisconsin
686 F. Supp. 226 (W.D. Wis. 1988) 542
Lachman v. Illinois State Bd. of Educ.
852 F.2d 290 (7th Cir. 1988) 695
Lamb, *In re*
See Vermont Dep't of Social Welfare v. Lamb
Landoll v. Dovell
752 S.W.2d 323 (Mo. 1988) 692
Lane v. Commissioner of Maine Dep't of Human Servs. [43,154]; Acc. No. 1010944
(D. Me. June 28, 1988) 513
Lane v. Goldome Credit Corp. [43,699]; Acc. No. 1010994
(Bankr. N.D. Tex. July 5, 1988) 658
Langer v. Bowen [44,127]; Acc. No. 1011339
(W.D. Wis. Aug. 18, 1988) 1172
Lanier v. Bowen
682 F. Supp. 938 (N.D. Ill. 1988) 303
Lara v. County of Yolo
765 P.2d 1151 (Nev. 1988) 1445
Lastra v. Intercontinental Invs. Co., Inc.
745 S.W.2d 703 (Mo. Ct. App. 1987) 300
Lastrapes v. Housing Auth. of Opelousas [43,672]; Acc. Nos. 1010982, 1011282
(W.D. La. Sept. 27, 1988) 670, 1153
Latimore v. Bowen [43,573]; Acc. No. 1010891
(11th Cir. June 30, 1988) 524
Laudon v. Loos
694 F. Supp. 253 (E.D. Mich. 1988) 837
Law Office of Tony Center v. Baker
366 S.E.2d 167 (Ga. Ct. App. 1988) 296
Lawline v. American Bar Ass'n [43,777]; Acc. No. 1011074 775
Lawrence v. Limoge
546 A.2d 802 (Vt. 1988) 833
Lawrence v. Philadelphia
700 F. Supp. 832 (E.D. Pa. 1988) 1443
League of United Latin Am. Citizens v. Clements [43,595]; Acc. Nos. 1010906, 1011494
(W.D. Tex. Jan. 27, 1989) 507, 1424
Leasure v. Leasure
549 A.2d 225 (Pa. Super. Ct. 1988) 1447
Lee v. County of Cook
862 F.2d 139 (7th Cir. 1988) 1327
Lee v. General Motors Corp.
684 F. Supp. 163 (E.D. Mich. 1987) 413
Lee v. Macon County Board of Educ.
681 F. Supp. 730 (N.D. Ala. 1988) 297
Lee v. Pierce [43,709]; Acc. Nos. 1011048, 1011099, 1011219 ..... 669, 797, 1152
Lemere v. Burnley
683 F. Supp. 275 (D.D.C. 1988) 416
Lemire v. HHS
682 F. Supp. 102 (D.N.H. 1988) 304
Lemmon v. Santa Cruz County
686 F. Supp. 797 (N.D. Cal. 1988) 702
Lenhardt, Marriage of, *In re*
531 N.E.2d 123 (Ill. App. Ct. 1988) 1325
Lenhoff v. Farmington Pub. Schools
680 F. Supp. 921 (E.D. Mich. 1988) 192
Leopard v. Director, Office of Workers Compensation Programs
861 F.2d 194 (8th Cir. 1988) 1195
Leslie v. Bowen
695 F. Supp. 504 (D. Kan. 1988) 1199
Lester v. Westchester County Dep't of Social Servs. [43,343]; Acc. Nos. 1010681, 1010897
(N.Y. Sup. Ct., Westchester County, July 6, 1988) 186, 531
Levy v. Bowen [43,624]; Acc. No. 1010934 512
Lewey v. Chelsea Div. of Dist. Court [43,848]; Acc. No. 1011150
(Mass. Sup. Jud. Ct., Suffolk County, Sept. 20, 1988) 779
Lewis v. Lewis
695 F. Supp. 1089 (D. Nev. 1988) 1189
Lewis v. Woods
848 F.2d 649 (5th Cir. 1988) 543

Lewiston Hous. Auth. v. Voss [43,646]; Acc. No. 1010953
(Lewiston Hous. Auth. Panel June 10, 1988) 517
Liddell v. Board of Educ. of St. Louis, Mo. [32,696]
687 F. Supp. 1368 (E.D. Mo. 1988);
696 F. Supp. 442 (E.D. Mo. 1988);
696 F. Supp. 444 (E.D. Mo. 1988) 693, 1192
Lindsey v. Anderson & Sons Auto Sales, Inc.
690 F. Supp. 1028 (N.D. Ga. 1988) 831
Linquist v. Bowen [30,109]; Acc. No. 1010611
839 F.2d 1321 (8th Cir. 1988) 53
Linquist v. Secretary of HHS
700 F. Supp. 352 (S.D. Tex. 1988) 1453
Linton v. Commissioner of Health & Env't [42,967]; Acc. Nos. 1010643, 1011363
(M.D. Tenn. Oct. 7, 1988) 62, 1149
Listenbee v. Secretary of HHS
846 F.2d 345 (6th Cir. 1988) 422
Little Earth of United Tribes, Inc. v. HUD [37,773]
691 F. Supp. 1215 (D. Minn. 1988) 836
Little Horn State Bank v. Crow Tribal Court
690 F. Supp. 919 (D. Mont. 1988) 838
Littler v. South Dakota Dep't of Labor [43,726]; Acc. No. 1011017
426 N.W.2d 314 (S.D. 1988) 659
Littles v. Lieberman [43,303]; Acc. No. 1010640
(Bankr. E.D. Pa. Feb. 12, 1988) 56
Littlewolf v. Hodel
681 F. Supp. 929 (D.D.C. 1988) 302
Lively v. Bowen
858 F.2d 177 (4th Cir. 1988) 1187
Long v. Beyer
676 F. Supp. 75 (D.N.J. 1988) 91
Long v. Branch
431 N.W.2d 835 (Mich. Ct. App. 1988) 1446
Long v. Medici [43,153]; Acc. No. 1010945 518
Looney v. Bowen [44,231]; Acc. No. 1011462
(E.D. Wash. Nov. 3, 1988) 1436
Lopez, *In re* [43,216]; Acc. No. 1010677
(N.M. Human Servs. Dep't Mar. 18, 1988) 187
Lopez, *In re* [43,887]; Acc. No. 1011200
(Ariz. Dep't of Economic Sec., Appeals Bd., July 11, 1988) 821
Lopez v. Ezell [44,067]; Acc. No. 1011302 1156
Lopez v. Ward [44,065]; Acc. No. 1011294 1174
Lopez Lopez v. Aran
844 F.2d 898 (1st Cir. 1988);
699 F. Supp. 365 (D.P.R. 1988) 417, 1329
Lorain Metro. Hous. Auth. v. Cajka [44,256]; Acc. No. 1011475
(Lorain, Ohio, Mun. Ct. Feb. 3, 1989) 1433
Louisiana *ex rel.* Dep't of Health & Human Resources v. Normand
534 So. 2d 158 (La. Ct. App. 1988) 1446
Love v. Pahl [43,441]; Acc. No. 1010770 265
Lovell v. Superintendent, N. Cent. Correctional Inst.
523 N.E.2d 268 (Mass. App. Ct. 1988) 543
LSC Opinion Re Abortion Litigation, *In re* [43,891]; Acc. No. 1011274
(Legal Servs. Corp. Oct. 20, 1988) 1130
Lubniewski v. United States Dep't of the Navy
682 F. Supp. 462 (N.D. Cal. 1988) 298
Lucas v. Bowen [42,577]; Acc. No. 1011425 1314
Lucas v. Townsend
686 F. Supp. 902 (M.D. Ga. 1988) 694
Luebbers v. Ibarra [43,826]; Acc. No. 1011118 792
Luiz v. Bowen [43,264]; Acc. No. 1010601 79
Luke v. Bowen [43,701]; Acc. No. 1010998 680
Luna v. City of Georgetown [42,528]; Acc. No. 1010863 406
Lunsford v. Leis
686 F. Supp. 181 (S.D. Ohio 1988) 539
Lutgen, *In re* [43,553]; Acc. Nos. 1010878, 1010971 ..... 394, 661
Lynch v. Bowen
681 F. Supp. 506 (N.D. Ill. 1988) 303
Lynch v. Min
684 F. Supp. 498 (M.D. Tenn. 1988) 416
Lyng v. International Union-UAW [37,553]; Acc. No. 1010645
108 S. Ct. 1184 (1988) 58
Lyng v. Northwest Indian Cemetery Protective Ass'n
485 U.S. 439, 108 S. Ct. 1319 (1988) 194
Lytle v. Roto Lincoln Mercury & Subaru, Inc.
521 N.E.2d 201 (Ill. App. Ct. 1988) 414

—M—

M., *In re* [43,530]; Acc. No. 1010840
(SSA, Office of Hearings & App., Mar. 30, 1988) ... 408
M., *In re* [44,291]; Acc. No. 1011513
(Vt. Human Services Board Feb. 24, 1989) 1435
M. v. Board of Educ. of the New York City School Dist.
686 F. Supp. 995 (E.D.N.Y. 1988) 692
M. v. Illinois State Bd. of Educ.
684 F. Supp. 514 (N.D. Ill. 1988) 412
M., Duane v. Orleans Parish School Bd.
861 F.2d 115 (5th Cir. 1988) 1187
M., J. v. Alabama
518 So. 2d 819 (Ala. Crim. App. 1987) 90
M., John v. Paula T.
546 A.2d 1162 (Pa. Super. Ct. 1988) 1191
M., M.K., *In re*
765 P.2d 1075 (Colo. Ct. App. 1988) 1451
M., Max v. New Trier High School Dist. No. 203
859 F.2d 1297 (7th Cir. 1988) 1187
M., T.R., Adoption of, *In re*
525 N.E.2d 298 (Ind. 1988) 542
M.C. Assoc. v. Shah
543 A.2d 1006 (N.J. Super. Ct., App. Div., 1988) ... 697
MacDonnell v. INS
693 F. Supp. 1439 (S.D.N.Y. 1988) 837
Mackey v. Bland [43,702]; Acc. No. 1010997
(S.D. Ga. Feb. 17, 1988) 676

Mackey v. Lanier Collections Agency & Serv., Inc.
108 S. Ct. 2182 (1988) 421
Madisonview Towers v. Yardley [43,784]; Acc. No. 1011084
(Bankr. M.D. Tenn. Sept. 16, 1987) 800
Maine Ass'n of Indep. Neighborhoods v. Commissioner Me. Dep't of Human Serv.
See Maine Ass'n of Interdependent Neighborhoods v. Commissioner Me. Dep't of Human Serv.
Maine Ass'n of Interdependent Neighborhoods v. Commissioner Me. Dep't of Human Serv. [43,647]; Acc. No. 1010954
697 F. Supp. 557 (D. Me. 1988) 514, 1324
Maine Ass'n of Interdependent Neighborhoods, Inc. v. Petit [35,253]
700 F. Supp. 75 (D. Me. 1986) 1454
Maine Dep't of Human Servs. v. Merrill Trust Co. [43,963]; Acc. No. 1011227 1183
Maine *ex rel.* Bean v. Tarvers [43,952]; Acc. No. 1011212 1138
Maines v. Pennsylvania Unemployment Compensation Bd. of Review [43,313]; Acc. No. 1010649
532 A.2d 1248 (Pa. Commw. Ct. 1987) 77
Majette v. Butterworth
699 F. Supp. 882 (S.D. Fla. 1988) 1331
Maldonado v. Hodel
683 F. Supp. 1322 (D. Utah 1988) 418
Malik v. Tanner
697 F. Supp. 1294 (S.D.N.Y. 1988) 1331
Maller v. Cohen [41,221]; Acc. No. 1011300
531 N.E.2d 1029 (Ill. App. Ct. 1988) 1137
Mallon v. Prudential Property & Casualty Ins. Co.
688 F. Supp. 997 (D.N.J. 1988) 694
Malloy v. Bowen
See Malloy v. Eichler
Malloy v. Eichler [40,089]; Acc. No. 1010888
860 F.2d 1179 (3d Cir. 1988) 511, 1194
Malone v. Barry [43,307]; Acc. Nos. 1010651, 1010918
(N.D. Ohio July 12, 1988) 62, 513
Mammenga v. Minnesota Dep't of Human Servs.
428 N.W.2d 832 (Minn. Ct. App. 1988) 1201
Manahan v. Bowen [43,574]; Acc. No. 1010892
(M.D. Pa. June 13, 1988) 525
Maness v. Tennessee Dep't of Human Servs. [43,361]; Acc. No. 1010698
(Tenn. Dep't of Human Servs. Apr. 13, 1988) 168
Mangrum v. Griepentrog [44,128]; Acc. No. 1011340
685 F. Supp. 1125 (D. Nev. 1988) 1179
Maplewood Management, Inc. v. Best [44,147]; Acc. No. 1011368
533 N.Y.S.2d 612 (N.Y. App. Div. 1988) 1287
Marchese v. Secretary of HHS
690 F. Supp. 162 (W.D.N.Y. 1988) 842
Marcus v. Bowen [38,704]; Acc. No. 1011182
696 F. Supp. 364 (N.D. Ill. 1988) 816
Mariche v. Mariche
758 P.2d 745 (Kan. 1988) 832
Marozsan v. United States [43,604]; Acc. No. 1010916
852 F.2d 1469 (7th Cir. 1988) 528
Marquez v. Bowen
682 F. Supp. 48 (S.D. Fla. 1987) 296
Marsh v. Digital Equip. Corp.
699 F. Supp. 1411 (D. Ariz. 1988) 1443
Marshall v. Bowen [44,219]; Acc. No. 1011453 1310
Martin v. Bowen [43,401]; Acc. Nos. 1010745, 1010854, 1011220
694 F. Supp. 718 (N.D. Cal. 1988) 287, 407, 1168
Martin v. Bowen [43,883]; Acc. No. 1011205
(M.D. Ala. Aug. 24, 1988) 815
Martin v. Haggerty
548 A.2d 371 (Pa. Commw. Ct. 1988) 1452
Martin v. Taft [43,758]; Acc. No. 1011054
(S.D. Ohio Aug. 1988) 671
Martinez v. Bowen
685 F. Supp. 70 (S.D.N.Y. 1988) 544
Martinez v. Bowen
687 F. Supp. 71 (S.D.N.Y. 1988) 701
Martinez v. Idaho Dep't of Health & Welfare [43,638]; Acc. No. 1010946
(Idaho Dist. Ct., Twin Falls County, July 14, 1988) 514
Martinez v. School Bd. of Hillsborough County
675 F. Supp. 1574 (M.D. Fla. 1987);
692 F. Supp. 1293 (M.D. Fla. 1988);
861 F.2d 1502 (11th Cir. 1988) 88, 835, 1326
Martinez v. Tankersley [32,141]; Acc. No. 1011184 809
Martino v. Pelandis [43,425]; Acc. No. 1010831
(N.J. Super. Ct., App. Div., Mar. 15, 1988) 403
Mary Washington Hosp., *In re* [43,381]; Acc. No. 1010719
(HHS, Office for Civil Rights, Dec. 28, 1987) 172
Masciulli v. Martin [43,472]; Acc. No. 1010826 269
Mason v. Pierce [43,529]; Acc. No. 1010841
(E.D. Wash. June 6, 1988) 401
Massachusetts v. Bowen
679 F. Supp. 137 (D. Mass. 1988) 192
Massachusetts Dep't of Pub. Welfare v. Lyng [44,131]; Acc. No. 1011459
(D. Mass. Jan. 17, 1989) 1425
Maxwell v. Pryde [42,786]; Acc. No. 1010659
(Wash. Super. Ct., King County, Mar. 13, 1988) 71
May v. Oldfield
698 F. Supp. 124 (E.D. Ky. 1988) 1324
Mayeda v. Bowen [43,594]; Acc. No. 1010903
(D. Conn. July 5, 1988) 502
Mayes, Guardianship of, *In re* [43,537]; Acc. No. 1010847
523 N.E.2d 249 (Ind. Ct. App. 1988) 395
Mayes v. Secretary of HHS [43,858]; Acc. No. 1011159
(N.D. Tex. Aug. 31, 1988) 818
McAlister v. Missouri Div. of Employment Sec.
747 S.W.2d 661 (Mo. Ct. App. 1988) 304
McAninch v. Bowen
693 F. Supp. 353 (W.D. Pa. 1988) 842

McBean v. Bowen [44,182]; Acc. No. 1011403
(D. Me. Oct. 17, 1988) 1286
McBride v. Bowen [44,166]; Acc. No. 1011393
701 F. Supp. 403 (W.D.N.Y. 1988) 1287
McCall v. Bowen
846 F.2d 1317 (11th Cir. 1988) 544
McCartney v. Barg [33,767]; Acc. No. 1011056
(N.D. Ohio Aug. 15, 1988) 808
McCormick v. Secretary of HHS
861 F.2d 998 (6th Cir. 1988) 1332
McCrory v. Johnson [43,626]; Acc. No. 1011049
755 S.W.2d 566 (Ark. 1988) 660
McCuan, *In re*
531 N.E.2d 102 (Ill. App. Ct. 1988) 1325
McDaniel v. Washington State Dep't of Social & Health Servs. [43,475]; Acc. No. 1010822
756 P.2d 143 (Wash. Ct. App. 1988) 292
McDonald v. Armontrout
860 F.2d 1456 (8th Cir. 1988) 1187
McDonald v. Bowen
693 F. Supp. 1298 (D. Mass. 1988) 831
McDonald v. Bowen
697 F. Supp. 942 (S.D. Tex. 1988) 1333
McDonald v. Kunin [43,764]; Acc. No. 1011065 825
McDowell v. South Carolina Dep't of Social Servs. [43,770]; Acc. No. 1011079
370 S.W.2d 878 (S.C. Ct. App. 1987) 789
McGhee v. Foltz
852 F.2d 876 (6th Cir. 1988) 698
McGill v. Flaherty [43,538]; Acc. No. 1010848
(W.D.N.C. June 6, 1988) 409
McGrady, *In re* [43,815]; Acc. No. 1011107
(Wash. Dep't of Social & Health Servs., Office of Hearings, Apr. 22, 1988) 829
McGuire v. Farley
370 S.E.2d 136 (W. Va. 1988) 833
McIntosh v. Commissioner, Me. Dep't of Human Servs. [43,953]; Acc. No. 1011216 1184
McIntyre, *In re* [44,290]; Acc. No. 1011515
(SSA, Office of Hearings & App., Feb. 6, 1989) 1438
McKenney v. Commissioner, Me. Dep't of Human Servs. [43,954]; Acc. No. 1011215 1184
McKenzie v. Department of Pub. Safety & Corrections [43,816]; Acc. No. 1011108
(Md. Ct. Spec. App. Apr. 14, 1988) 821
McKinney v. Pennsylvania Unemployment Compensation Bd. of Review
543 A.2d 598 (Pa. Commw. Ct. 1988) 702
McKinzie v. Board of Supervisors of County of Placer [43,576]; Acc. Nos. 1010900, 1011283 ..... 513, 1149
McLaughlin v. Seafood, Inc.
861 F.2d 450 (5th Cir. 1988) 1326
McNair v. Cardimone [43,673]; Acc. Nos. 1010975, 1011124
676 F. Supp. 1361 (S.D. Ohio 1987) 88, 665, 790
McNeil v. Employment Sec. Comm'n of N.C.
365 S.E.2d 306 (N.C. Ct. App. 1988) 304
McNeil v. Springfield Park Dist.
851 F.2d 937 (7th Cir. 1988) 693
McQueen v. Lustine Realty [43,833]; Acc. No. 1011128
547 A.2d 172 (D.C. 1988) 778
Mead, Marriage of, *In re*
429 N.W.2d 564 (Iowa Ct. App. 1988) 1446
Mead v. Batchlor [44,214]; Acc. No. 1011442 1291
Medford v. District of Columbia
691 F. Supp. 1473 (D.D.C. 1988) 831
Medina v. O'Neill
838 F.2d 800 (5th Cir. 1988) 193
Melder v. Carreiro [43,482]; Acc. No. 1010833
541 A.2d 1293 (Me. Sup. Jud. Ct. 1988) 391
Mellon Bank v. Dougherty [43,841]; Acc. No. 1011141
(Del. C.P. Ct. Sept. 7, 1988) 781
Melrose v. McMahon [43,344]; Acc. No. 1010682 178
Melson v. Secretary of HHS [44,191]; Acc. No. 1011413
702 F. Supp. 997 (W.D.N.Y. 1988) 1298
Melvin v. Nickolopoulos
864 F.2d 301 (3d Cir. 1988) 1452
Mendenhall-Moore Realtors v. Sedoris [43,536]; Acc. No. 1010851
366 S.E.2d 534 (N.C. Ct. App. 1988) 404
Mendez v. White [43,733]; Acc. No. 1011031 664
Mendez-Suarez v. Veles
698 F. Supp. 905 (N.D. Ga. 1988) 1331
Mendoza, *In re* [43,102]; Acc. No. 1010678
(Dep't of Economic Sec., Appeals Bd., Apr. 1, 1988) 186
Mendoza-Serrano v. Boardman Farms [43,706]; Acc. No. 1010996 677
Mengel v. Collins [43,768]; Acc. No. 1011056 662
Merchant v. Nationwide Collection Serv. [43,382]; Acc. No. 1010713
(Fla. Cir. Ct., Marion County, Apr. 27, 1988) 164
Metzer v. Lyng [41,735]; Acc. No. 1011280
687 F. Supp. 454 (D. Minn. 1987);
864 F.2d 75 (8th Cir. 1988) 694, 1143
Meyer v. Colorado Dep't of Social Servs.
758 P.2d 192 (Colo. Ct. App. 1988) 836
Meyer v. Lyng
859 F.2d 62 (8th Cir. 1988) 1194
Meyers v. Smith
518 So. 2d 734 (Ala. Civ. App. 1987) 86
Michigan v. Kesl
423 N.W.2d 365 (Mich. Ct. App. 1988) 543
Mid-Iowa Community Action, Inc. v. Iowa Commerce Comm'n
421 N.W.2d 899 (Iowa 1988) 420
Middlesex County Bd. of Social Servs. v. C. [43,420]; Acc. No. 1010749
(N.J. Dep't of Human Servs. Jan. 4, 1988) 293
Miller v. Aldridge
700 F. Supp. 1565 (D. Wyo. 1988) 1454
Miller v. Babcock [43,318]; Acc. No. 1010654
(Mich. Cir. Ct., Ingham County, Mar. 7, 1988) 64

Miller v. Bowen [43,859]; Acc. No. 1011164
(E.D. Ark. Sept. 9, 1988) 815
Miller v. Lipscomb [44,184]; Acc. No. 1011404
(S.D. W. Va. Nov. 9, 1988) 1315
Milwee v. Milwee
757 S.W.2d 429 (Tex. Ct. App. 1988) 1192
Minnesota v. Hennepin County
425 N.W.2d 278 (Minn. Ct. App. 1988) 540
Minnich v. Bowen [43,543]; Acc. Nos. 1010858, 1011007
(M.D. Pa. Aug. 2, 1988) 396, 662
Minor v. Turner Indus. [44,221]; Acc. No. 1011451 1311
Miskimon v. Miskimon
433 N.W.2d 419 (Mich. Ct. App. 1988) 1446
Missouri *ex rel.* Div. of Adult Inst. v. Brackman
737 S.W.2d 516 (Mo. Ct. App. 1987) 92
Mitchell v. Department of Land & Natural Resources [43,772]; Acc. No. 1011078
(Haw. Sup. Ct. Apr. 5, 1988) 788
Mitchell v. Director, Office of Workers' Compensation Programs
855 F.2d 485 (7th Cir. 1988) 835
Mitchell v. Lipscomb [42,796]; Acc. No. 1010917
851 F.2d 734 (4th Cir. 1988) 511
Miyoshi v. Bowen
696 F. Supp. 346 (N.D. Ill. 1988) 1199
Molina v. Crown Business Inst. N.Y.C., Inc. [44,118]; Acc. No. 1011338 1135
Mollick v. Retirement Fund of the Fur Mfg. Indus. [43,849]; Acc. No. 1011151 814
Mondy v. Secretary of the Army [43,476]; Acc. No. 1010820
845 F.2d 1051 (D.C. Cir. 1988) 267
Monmouth County Bd. of Social Serv. v. Lohman
551 A.2d 1051 (N.J. Super. Ct. App. Div. 1989) 1454
Monmouth County Correctional Inst. Inmates v. Lanzaro
695 F. Supp. 759 (D.N.J. 1988) 1198
Monroe v. City of Woodville, Miss. [41,631]
688 F. Supp. 255 (S.D. Miss. 1988) 694
Mont v. Heintz [43,368]; Acc. No. 1010708
849 F.2d 704 (2d Cir. 1988) 162, 545
Monteith v. St. Landry Parish School Bd.
848 F.2d 625 (5th Cir. 1988) 539
Montero v. Meyer
861 F.2d 603 (10th Cir. 1988) 1326
Moore v. Perales [40,153]
692 F. Supp. 137 (E.D.N.Y. 1988) 843
Moore v. Thieret
862 F.2d 148 (7th Cir. 1988) 1330
Moore v. Trump Casino-Hotel
676 F. Supp. 69 (D.N.J. 1987) 87
Morales v. Lyng [43,893]; Acc. Nos. 1011207, 1011268
(N.D. Ill. Sept. 2, 1988);
702 F. Supp. 161 (N.D. Ill. 1988) 805, 1156
Morales Feliciano v. Hernandez Colon
697 F. Supp. 37 (D.P.R. 1988);
697 F. Supp. 51 (D.P.R. 1988) 1188, 1198
Morency v. Bowen
677 F. Supp. 260 (D.N.J. 1988) 93
Morf v. North Glenview Mobile Home Park [43,634]; Acc. No. 1010963 519
Morgan v. Ward
699 F. Supp. 1025 (N.D.N.Y. 1988) 1452
Morongo Band of Mission Indians v. California State Bd. of Equalization
849 F.2d 1197 (9th Cir. 1988) 542
Morris v. Bowen
864 F.2d 333 (5th Cir. 1988) 1453
Morris v. Morris
757 S.W.2d 466 (Tex. Ct. App. 1988) 1192
Morris v. Morris
374 S.E.2d 441 (N.C. Ct. App. 1988) 1325
Morrison v. Smith
757 S.W.2d 678 (Tenn. Ct. App. 1988) 1330
Morrison v. Steinbacher [43,393]; Acc. No. 1010734
(S.D. Ohio Apr. 19, 1988) 183
Mosley v. Bowen [44,151]; Acc. No. 1011448
703 F. Supp. 1288 (S.D. Ohio 1989) 1315
Moss v. Clark
698 F. Supp. 640 (E.D. Va. 1988) 1331
Moulds v. Fairey [44,159]; Acc. No. 1011385
(Cal. Super. Ct., Yuba County, Nov. 7, 1988) 1293
Moundsville Hous. Auth. v. Porter
370 S.E.2d 341 (W. Va. 1988) 836
Mount Sinai Hosp. v. Rosado [43,577]; Acc. No. 1010893
(N.J. Super. Ct., Hudson County, June 30, 1988) 515
Muckleshoot Indian Tribe v. Hall
698 F. Supp. 1504 (W.D. Wash. 1988) 1330
Mudd v. District of Columbia Rental Hous. Comm'n [43,860]; Acc. No. 1011156
546 A.2d 440 (D.C. Ct. App. 1988) 807
Muhammad v. Carlson
845 F.2d 175 (8th Cir. 1988) 419
Muhammad v. Warden, Baltimore City Jail
849 F.2d 107 (4th Cir. 1988) 543
Mullenberg v. HHS
857 F.2d 770 (Fed. Cir. 1988) 1197
Mullis v. Bowen
861 F.2d 991 (6th Cir. 1988) 1332
Munguia v. Arizona Dep't of Economic Sec. [44,262]; Acc. No. 1011482 1439
Munoz v. Bowen [43,870]; Acc. No. 1011171 816
Murdaugh v. Secretary of HHS
837 F.2d 99 (2d Cir. 1988) 196
Murphy v. Bowen
691 F. Supp. 830 (D.N.J. 1988) 831
Murphy v. Commissioner of W. Va. Dep't of Human Servs. [44,167]; Acc. No. 1011391
(W. Va. Cir. Ct., Kanawha County, Dec. 19, 1988) 1295
Murray v. Lyng [38,984]; Acc. No. 1011011
854 F.2d 303 (8th Cir. 1988) 663

Muscogee (Creek) Nation v. Hodel
851 F.2d 1439 (D.C. Cir. 1988) 697
Mussatto v. Director, Office of Workers' Compensation Programs
855 F.2d 513 (8th Cir. 1988) 835
Muth v. Central Bucks School Dist.
839 F.2d 113 (3d Cir. 1988) 192
Myers v. Pennsylvania Unemployment Compensation Bd. of Review [43,716]; Acc. No. 1011022
(Pa. Unemployment Compensation Bd. of Review July 22, 1988) 685

—N—

N., *In re* [43,450]; Acc. No. 1010776
(S.S.A., Office of Hearings & App., Apr. 20, 1988) 277
N., *In re* [44,192]; Acc. No. 1011412
(Cal. Dep't of Health Servs. Oct. 5, 1988) 1301
N. v. Brock [43,593]; Acc. No. 1010904 509
N., S. v. Florida Dep't of Health & Rehabilitative Servs.
529 So. 2d 1156 (Fla. Dist. Ct. App. 1988) 1196
Nance v. Benefits Review Bd., DOL
861 F.2d 68 (4th Cir. 1988) 1194
Napeahi v. Paty [43,775]; Acc. No. 1011077 810
Napier, *In re* [43,827]; Acc. No. 1011115
(Ohio Dep't of Human Servs. Sept. 6, 1988) 795
Narragansett Indian Tribe v. Ribo, Inc.
686 F. Supp. 48 (D.R.I. 1988) 542
Nasica, *In re*
758 P.2d 240 (Kan. Ct. App. 1988) 833
National Clearinghouse for Legal Servs. v. Legal Servs. Corp. [41,000]; Acc. Nos. 1011015, 1011169
(D.C. Cir. Oct. 21, 1988) 656, 774
National Coalition for the Homeless v. VA [43,806]; Acc. No. 1011173
695 F. Supp. 1226 (D.D.C. 1988) 797
National Corp. for Hous. v. Liberty State Bank
836 F.2d 433 (8th Cir. 1988) 89
National Tenants Org. v. Pierce [43,958]; Acc. Nos. 1011258, 1011457
(D.D.C. Jan. 25, 1989) 1152, 1429
National Wildlife Fed'n v. United States Forest Serv.
861 F.2d 1114 (9th Cir. 1988) 1328
Native Village of Venetie v. Alaska
687 F. Supp. 1380 (D. Alaska 1988) 697
Natrona County School Dist. 1 v. Ryan
764 P.2d 1019 (Wyo. 1988) 1449
Neal v. Coleburn
689 F. Supp. 1426 (E.D. Va. 1988) 834
Nearing v. Golden State Foods Corp.
764 P.2d 242 (Wash. Ct. App. 1988) 1448
Nebraska v. Adams
430 N.W.2d 295 (Neb. 1988) 1190
Negonsott v. Samuels
696 F. Supp. 561 (D. Kan. 1988) 1197
Neisz v. Portland Pub. School Dist.
684 F. Supp. 1530 (D. Or. 1988) 536
Nellis v. Service Web Offset Corp.
695 F. Supp. 398 (N.D. Ill. 1988) 1193
Nelson v. Bowen [43,789]; Acc. No. 1011095
855 F.2d 503 (7th Cir. 1988) 814
Nelson v. Secretary of HHS
676 F. Supp. 44 (W.D.N.Y. 1987) 93
Nesvold v. Bowen
683 F. Supp. 1246 (N.D. Ind. 1988); 687 F. Supp. 443 (N.D. Ind. 1988) 422, 691
New Jersey v. Squires [42,873]; Acc. No. 1010969
(N.J. Super. Ct. App. Div. Mar. 24, 1988) 672
New York *ex rel.* Reed v. Scully [43,606]; Acc. No. 1010923
(N.Y. Sup. Ct., Oneida County, June 30, 1988) 521
Newkirk v. Clark County Social Serv. Dep't [43,850]; Acc. No. 1011153
(Nev. Dist. Ct., Clark County, Jan. 18, 1988) 828
Newsome v. Batavia Local School Dist. [42,512]; Acc. No. 1010684
842 F.2d 920 (6th Cir. 1988) 165
Nicholes v. Nicholes [43,817]; Acc. No. 1011103 785
Nickerson v. Indiana Bd. of Pub. Welfare [44,213]; Acc. No. 1011446
(Ind. Cir. Ct., St. Joseph County, Dec. 21, 1988) ... 1299
Nicolaison v. Erickson
425 N.W.2d 597 (Minn. Ct. App. 1988) 699
Nicollet County v. Larson
421 N.W.2d 717 (Minn. 1988) 414
Noble v. Placer County Bd. of Supervisors [43,292]; Acc. No. 1010736
(Cal. Super. Ct., Placer County, Apr. 8, 1988) 171
Noia v. McMahon [40,718]; Acc. No. 1011166
(E.D. Cal. Sept. 21, 1988) 774
Norman v. Housing Auth. of Montgomery [39,526]
836 F.2d 1292 (11th Cir. 1988) 84
Norm's Heating & Air Conditioning v. Payne [44,168]; Acc. No. 1011392
(Ill. Cir. Ct., Cook County, Dec. 5, 1988) 1290
North Am. Coal Corp. v. Director, Office of Workers' Compensation Program
854 F.2d 386 (10th Cir. 1988) 836
North Bay Regional Center v. S. [44,174]; Acc. No. 1011395 1296
North Carolina Council of Churches Hous. Dev. Corp. v. FmHA [44,041]; Acc. No. 1011270
(E.D.N.C. Oct. 13, 1988) 1132
North School Congregate Hous. Partners v. Merrithew [43,955]; Acc. No. 1011214
(Me. Super. Ct., Cumberland County, July 26, 1988) 1160
Northern Serv. Center, Inc. v. Illinois Dep't of Employment Sec.
521 N.E.2d 664 (Ill. App. Ct. 1988) 424

Northwest Forest Workers Ass'n v. Lyng [42,653]; Acc. Nos. 1010711, 1010884, 1011496
688 F. Supp. 1 (D.D.C. 1988); (D.D.C. Aug. 4, 1988); (Immigration & Naturalization Service Dec. 15, 1988) 178, 520, 1434
Nwankwo v. District of Columbia Rental Hous. Comm'n [43,627]; Acc. No. 1010933
542 A.2d 827 (D.C. Ct. App. 1988) 519

—O—

O., H., *In re* [43,456]; Acc. No. 1010795
(SSA, Office of Hearings & App., Mar. 23, 1988) ... 288
Oakes v. Buffalohead [43,387]; Acc. Nos. 1010728, 1011299
(Medina, Ohio, Mun. Ct. May 20, 1988) 177, 1161
Ochoa v. Weisensee Ranch [44,055]; Acc. No. 1011289
763 P.2d 173 (Or. Ct. App. 1988) 1164
O'Dell v. O'Bannon [26,277]; Acc. No. 1010610
(E.D. Pa. Jan. 20, 1988) 69
Oettinger v. Lakeview Motors, Inc.
675 F. Supp. 1488 (E.D. Va. 1988) 85
Office of the Child Advocate v. Collins [41,951]; Acc. No. 1011188
(D.R.I. Oct. 5, 1988) 805
Ogden v. Bowen
677 F. Supp. 273 (M.D. Pa. 1987) 93
Ohio Dep't of Human Servs. v. HHS [41,464]; Acc. No. 1011291
862 F.2d 1228 (6th Cir. 1988) 1146
Ohio *ex rel.* Fox v. Cuyahoga County Hosp.
529 N.E.2d 443 (Ohio 1988) 1448
Ohio *ex rel.* Gudzinas v. Constantino [44,202]; Acc. No. 1011434
(Ohio Ct. App. July 25,1988) 1289
Okoreeh-Baah, *In re*
836 F.2d 1030 (6th Cir. 1988) 84
Old West End Ass'n v. Buckeye Fed. Sav. & Loan
675 F. Supp. 1100 (N.D. Ohio 1987) 89
Olitsky v. Spencer Gifts, Inc.
842 F.2d 123 (5th Cir. 1988) 191
Oliver v. Bowen [41,498]; Acc. No. 1010694
(D. Md. Oct. 27, 1987) 162
Olson v. Bowen [43,851]; Acc. No. 1011146
(W.D. Wis. May 31, 1988) 793
Olson v. Montana Dept. of Revenue
765 P.2d 171 (Mont. 1988) 1448
Omaha Indian Tribe v. Jackson
854 F.2d 1089 (8th Cir. 1988) 837
1212 S. Michigan Partnership v. Crawford [43,430]; Acc. No. 1010762
(Ill. Cir. Ct., Cook County, Mar. 31, 1988) 284
Orangeburg-Calhoun Regional Hosp., *In re* [43,854]; Acc. No. 1011149
(HHS, Office for Civil Rights, Aug. 1, 1988) 795
Orantes-Hernandez v. Meese [32,766]; Acc. No. 1010782
685 F. Supp. 1488 (C.D. Cal. 1988) 282
Oregon v. Kitchens
763 P.2d 1196 (Or. Ct. App. 1988) 1191
Orlando v. Finance One of W. Va., Inc.
369 S.E.2d 882 (W. Va. 1988) 538
Ornelas v. Safeway Ins. [43,791]; Acc. No. 1011092
(N.D. Ill. Sept. 23, 1988) 779
O'Rourke v. United States Dep't of Justice
684 F. Supp. 716 (D.D.C. 1988) 540
Orozco v. Sobol [43,336]; Acc. Nos. 1010874, 1011465
703 F. Supp. 1113 (S.D.N.Y. 1989) 395, 1425
Orr v. Arizona Dep't of Economic Sec.
761 P.2d 1085 (Ariz. Ct. App. 1988) 1194
Orrego v. HUD [43,231]; Acc. No. 1011336
701 F. Supp. 1384 (N.D. Ill. 1988) 1153
Ortega, *Ex parte*
759 S.W.2d 191 (Tex. Ct. App. 1988) 1192
Orzechowski v. Applegate
528 So. 2d 971 (Fla. App. Ct. 1988) 693
Osias v. Marc [43,818]; Acc. No. 1011102
700 F. Supp. 842 (D. Md. 1988) 808
Otto Kaiser Memorial Hosp., *In re* [42,385]; Acc. No. 1011234
(Dep't of HHS, Oct. 17, 1988) 1151
Overbey v. McBride [43,483]; Acc. No. 1010836 394
Owens v. Sugarman [44,037]; Acc. No. 1011266
(Wash. Super. Ct., King County, Oct. 24, 1988) 1185

—P—

P. v. Johnson [43,990]; Acc. No. 1011246 1156
P. v. Sobol [25,954]; Acc. No. 1011122
(E.D.N.Y. Aug. 3, 1988) 790
P., Drew v. Clarke County School Dist.
676 F. Supp. 1559 (M.D. Ga. 1987) 88
P., J. v. Missouri Dep't of Social Servs.
752 S.W.2d 847 (Mo. Ct. App. 1988) 1191
P., S.L., *In re*
432 N.W.2d 826 (Neb. 1988) 1450
Pagliaro v. Pagliaro [43,834]; Acc. No. 1011127 803
Paige v. Bowen
695 F. Supp. 975 (N.D. Ill. 1988) 1199
Palmigiano v. DiPrete [14,243]
700 F. Supp. 1180 (D.R.I. 1988) 1452
Pancake v. Amax Coal Co.
858 F.2d 1250 (7th Cir. 1988) 1195
Panola Land Buying Ass'n v. Clark [38,874]
844 F.2d 1506 (11th Cir. 1988) 412
Papazian v. Bowen
856 F.2d 1455 (9th Cir. 1988) 830
Paredes v. Curtis [43,215]; Acc. No. 1011421
864 F.2d 426 (6th Cir. 1988) 1293
Parents of Child, Code No. 870901W v. Coker
676 F. Supp. 1072 (E.D. Okla. 1987) 88
Parker v. Baltimore County Dep't of Social Servs. [43,991]; Acc. No. 1011249
(Md. Cir. Ct., Baltimore County, Oct. 10, 1988) 1155
Parker v. Pennsylvania Dep't of Labor & Indus. [42,419]; Acc. No. 1010715 184
Patch v. Patch
760 P.2d 526 (Alaska 1988) 1190
Patel v. Quality Inn S.
846 F.2d 700 (11th Cir. 1988) 417
Patterson v. Bowen
839 F.2d 221 (4th Cir. 1988) 196
Patterson v. I.H. Servs., Inc.
368 S.E.2d 215 (S.C. Ct. App. 1988) 540
Paulson v. Bowen
836 F.2d 1249 (9th Cir. 1988) 92
Paxton v. Secretary of HHS
856 F.2d 1352 (9th Cir. 1988) 841
Peabody Properties v. Jeffries [44,198]; Acc. No. 1011417
(Hampden, Mass., Hous. Ct. Jan. 6, 1988) 1296
Pearson v. Bowen [43,874]; Acc. No. 1011185
(D. Or. Oct. 4, 1988) 818
Peckham, *In re* [43,265]; Acc. No. 1010600
(Mich. Employment Sec. Comm'n Jan. 22, 1988) 78
Pegues v. Mississippi State Employment Serv.
698 F. Supp. 116 (N.D. Miss. 1988) 1327
Pennsylvania Dep't of Pub. Welfare v. Alessi
546 A.2d 157 (Pa. Commw. Ct. 1988) 832
Pennsylvania Dep't of Pub. Welfare v. Johnson-Allen [42,156]; Acc. No. 1010914
88 Bankr. 659 (E.D. Pa. 1988) 504
Peppers v. Barry [16,334]; Acc. No. 1011112
(N.D. Ohio Aug. 18, 1988) 775
Peppers v. Barry [43,861]; Acc. No. 1011158 777
Perales v. Meese
685 F. Supp. 52 (S.D.N.Y. 1988) 542
Peranzo v. Coughlin
850 F.2d 125 (2d Cir. 1988) 698
Perez v. Bank of the W. [44,263]; Acc. No. 1011479 1423
Perez v. Maricopa County
760 P.2d 1089 (Ariz. Ct. App. 1988) 1195
Perkins v. Walters [43,840]; Acc. No. 1011259 1141
Perrine v. South Dakota Dep't of Labor
431 N.W.2d 156 (S.D. 1988) 1200
Perrysburg Ecumenical Hous. v. Leu [43,386]; Acc. No. 1010727
(Perrysburg, Ohio, Mun. Ct. Feb. 17, 1988) 174
Pesce v. Board of Review, Dep't of Employment Sec. [43,367]; Acc. No. 1010707
515 N.E.2d 849 (Ill. App. Ct. 1987) 184
Pet Haven Grooming Salon v. Nunn [43,819]; Acc. No. 1011100
(Ky. Cir. Ct., Warren County, Aug. 25, 1988) 787
Peters v. United States [43,691]; Acc. No. 1010985
853 F.2d 692 (9th Cir. 1988) 673
Petitioner & Respondent, Marriage of, *In re* [42,136]; Acc. No. 1011080 785
Petitions for Rulemaking N.J.A.C. 10:82-1.2 & 10:85-4.1, *In re* [43,465]; Acc. No. 1010802
538 A.2d 1302 (N.J. Super. Ct. App. Div. 1988) 291
Pheasant Ridge Apartments v. Bier [43,745]; Acc. No. 1011046
(Mich. Dist. Ct. Aug. 3, 1988) 672
Phillips v. McLaughlin
854 F.2d 673 (4th Cir. 1988) 836
Phillips v. Morrow
760 P.2d 115 (Nev. 1988) 1190
Pickerell v. Stanislaus County Bd. of Supervisors [43,360]; Acc. No. 1010697
(Cal. Super. Ct., Stanislaus County, Mar. 14, 1988) 171
Pieper v. Pieper
368 S.E.2d 422 (N.C. Ct. App. 1988) 538
Pierce v. Iowa Dep't of Job Serv.
425 N.W.2d 679 (Iowa Ct. App. 1988) 843
Pierce v. Underwood [18,186]
108 S. Ct. 2541 (1988) 412
Pinaud v. James
851 F.2d 27 (2d Cir. 1988) 698
Pinchback v. Armistead Homes Corp.
689 F. Supp. 541 (D. Md. 1988) 696
Pinoleville Indian Community v. Mendocino County
684 F. Supp. 1042 (N.D. Cal. 1988) 542
Pipiles v. Credit Bureau of Lockport [44,083]; Acc. No. 1011320 1133
Pitts v. Meese
684 F. Supp. 303 (D.D.C. 1987) 419

Pittsburgh Crusade for Voters v. Pittsburgh
686 F. Supp. 97 (W.D. Pa. 1988) 539
Plante v. Secretary of HHS [44,052]; Acc. No. 1011277
(N.D.N.Y. Oct. 3, 1988) 1148
Pleasant v. Heritage Convalescent Center of Paradise [44,259]; Acc. No. 1011477 1427
Pleune v. Pierce [42,180]; Acc. No. 1011058
697 F. Supp. 113 (E.D.N.Y. 1988) 798
Plowman v. United States Dep't of Army
698 F. Supp. 627 (E.D. Va. 1988) 1328
Plunkett v. Plunkett
757 S.W.2d 286 (Mo. Ct. App. 1988) 1191
Plyler v. Evatt
846 F.2d 208 (4th Cir. 1988) 419
Plymouth Stamping v. Lipshu
424 N.W.2d 530 (Mich. Ct. App. 1988) 545
Poff v. Caro
549 A.2d 900 (N.J. Super. Ct. Law Div. 1987) 1196
Pohlman v. Stokes
687 F. Supp. 1179 (S.D. Ohio 1987) 699
Poindexter v. Bowen
685 F. Supp. 1545 (D. Wyo. 1988) 545
Polendo v. Johnston [43,256]; Acc. No. 1010608 79
Police & Fire Ass'n for Handicapped Children v. City of Philadelphia
699 F. Supp. 1106 (E.D. Pa. 1988) 1449
Polk v. Central Susquehanna Intermediate Unit 16
853 F.2d 171 (3d Cir. 1988) 694
Polny v. Bowen
864 F.2d 661 (9th Cir. 1988) 1453
Poole v. Bowen
689 F. Supp. 500 (E.D. Pa. 1988) 692
Poorman v. Bowen [43,326]; Acc. No. 1010675
686 F. Supp. 251 (D.S.D. 1988) 73, 542
Pope v. Whitfield
524 So. 2d 108 (La. Ct. App. 1988) 424
Popular Inv. Co. v. Mayor & City Council of Baltimore [42,964]; Acc. No. 1010609 70
Posey, Guardianship of, *In re*
532 N.E.2d 9 (Ind. Ct. App. 1988) 1444
Pothering v. Parkson Coal Co.
861 F.2d 1321 (3d Cir. 1988) 1328
Pototsky v. Department of the Navy
695 F. Supp. 1084 (D. Haw. 1988) 1194
Pottgieser v. Kizer [42,597]; Acc. No. 1011466
(N.D. Cal. Aug. 10, 1988) 1426
Powell, *In re*
851 F.2d 427 (D.C. Cir. 1988) 698
Powell v. Powell
547 A.2d 973 (D.C. 1988) 1190
Prange, Estate of, *In re* [43,358]; Acc. No. 1010703
520 N.E.2d 946 (Ill. App. Ct. 1988) 169
Pratt v. Pratt [43,396]; Acc. No. 1010744
(Ariz. Super. Ct., Maricopa County, Feb. 16, 1988) 271
Price v. Wilzack [41,527]; Acc. No. 1010693 167
Prince v. Tooele County Hous. Auth. [43,455]; Acc. No. 1010794 281
Proffer v. Randall
755 S.W.2d 655 (Mo. Ct. App. 1988) 1196
Proffit v. Sorrell
693 F. Supp. 435 (E.D. Va. 1988) 836
Proposed $49 Million Base Rate Increase for the Philadelphia Gas Works, *In re* [43,779]; Acc. Nos. 1011075, 1011467
(Philadelphia Gas Comm'n Dec. 21, 1988) 813, 1436
Pruett v. Pruett
754 S.W.2d 802 (Tex. Ct. App. 1988) 833
Pudge v. Fruehauf Corp.
690 F. Supp. 692 (N.D. Ill. 1988) 834
Puffpaff v. Hull
426 N.W.2d 778 (Mich. Ct. App. 1988) 833
Puget Sound Power & Light v. Washington Dep't of Community Dev. [44,193]; Acc. No. 1011414
(Wash. Super. Ct., King County, May 13, 1988) 1309
Puig v. Kirschner [43,391]; Acc. No. 1010732 170
Pulido v. Bennett
848 F.2d 880 (8th Cir. 1988) 538
Purcell, *In re* [44,292]; Acc. No. 1011514 1434
Putnam County Dep't of Health v. Gillen [44,160]; Acc. No. 1011388
(N.Y. Div. of Environmental Health Services, Putnam County, Dec. 5, 1988) 1304

—Q—

Queen v. West Virginia Univ. Hosp.
365 S.E.2d 375 (W. Va. 1987) 299
Quick, *In re* [43,279]; Acc. No. 1010621
(SSA, Office of Hearings & App., Mar. 4, 1988) 75
Quinones v. Director, Dep't of Social Servs. [43,838]; Acc. No. 1011137
433 N.W.2d 399 (Mich. Ct. App. 1988) 826

—R—

R., Lisa, *In re* [43,388]; Acc. No. 1010729
(Ohio C.P. Ct., Pike County, Mar. 9, 1988) 176
Ra v. Yarrowood Assocs., Ltd. [43,862]; Acc. No. 1011162
(W.D. Wash. Sept. 29, 1988) 800
Rabago, *In re* [43,888]; Acc. No. 1011203
(Ariz. Dep't of Economic Sec., Appeals Board, Apr. 28, 1988) 822

Radiology v. Connor [43,828]; Acc. No. 1011114
(Ind. Super. Ct., St. Joseph County, Aug. 30, 1988) 782
Rafeedie v. INS
688 F. Supp. 729 (D.D.C. 1988) 696
Rainbow Coalition of Okla. v. Oklahoma State Election Bd.
685 F. Supp. 1193 (W.D. Okla. 1987) 539
Ramirez, *In re* [43,744]; Acc. No. 1011045
(SSA, Office of Hearings & App., Sept. 28, 1988) ... 684
Ramirez v. Rivera-Dueno
861 F.2d 328 (1st Cir. 1988) 1323
Ramirez v. Webb [31,766]
835 F.2d 1153 (6th Cir. 1987) 89
Ramos Colon v. Secretary of HHS
850 F.2d 24 (1st Cir. 1988) 691
Ramquist, *In re*
765 P.2d 30 (Wash. Ct. App. 1988) 1451
Ramsey v. Chrysler First, Inc.
861 F.2d 1541 (11th Cir. 1988) 1327
Ramsey v. Keever's Used Cars
374 S.E.2d 135 (N.C. Ct. App. 1988) 1444
Randall v. Yakima Nation Tribal Court
841 F.2d 897 (9th Cir. 1988) 194
Ransom v. Bowen
844 F.2d 1326 (7th Cir. 1988) 422
Rasdall v. Kentucky Unemployment Ins. Comm'n [44,063]; Acc. No. 1011296 1175
Rateree v. Rockett
685 F. Supp. 670 (N.D. Ill. 1988) 536
Rawles v. Hartman
527 N.E.2d 680 (Ill. App. Ct. 1988) 1190
Rawlings v. Weiner
752 P.2d 1327 (Utah Ct. App. 1988) 415
Ray v. Bowen
843 F.2d 998 (7th Cir. 1988) 303
Raytheon Co. v. Fair Employment & Hous. Comm'n [43,384]; Acc. No. 1010748
(Cal. Super. Ct., Santa Barbara County, Apr. 22, 1988) 273
Recanzone v. Washoe County School Dist.
696 F. Supp. 1372 (D. Nev. 1988) 1328
Reed v. Bowen [33,793]
849 F.2d 1307 (10th Cir. 1988) 538
Reed v. City of Springfield
758 S.W.2d 138 (Mo. Ct. App. 1988) 1448
Reed v. Faulkner
842 F.2d 960 (7th Cir. 1988) 302
Reed v. Slaughter
541 A.2d 1352 (N.J. 1988) 546
Reese v. Kizer [38,528]; Acc. No. 1011167
760 P.2d 495 (Cal. 1988) 778
Reese v. Reese
755 S.W.2d 437 (Mo. Ct. App. 1988) 833
Reeves v. Bowen
841 F.2d 383 (11th Cir. 1988); 860 F.2d 1009 (11th Cir. 1988) 189, 1188
Reliable Stores v. York [43,552]; Acc. No. 1010866
(Roanoke, Va., Dist. Ct. May 12, 1988) 393
Rendon v. Lyng [43,327]; Acc. No. 1010663
(D. Or. Mar. 14, 1988) 72
Renzi v. Bowen [43,877]; Acc. No. 1011191
(D.N.J. Aug. 24, 1988) 775
Reome v. Levine
692 F. Supp. 1046 (D. Minn. 1988) 837
Request for Regulatory Determination Re Prosthetic Devices, *In re* [44,139]; Acc. No. 1011356
(Cal. Office of Admin. Law Oct. 27, 1988) 1151
Residents Council of Allen Parkway Village v. HUD [44,276]; Acc. No. 1011491
(S.D. Tex. Feb. 2, 1989) 1431
Revithes v. District of Columbia Rental Hous. Comm'n [43,266]; Acc. No. 1010602
(D.C. Ct. App. Dec. 1, 1987) 70
Reyes, *In re* [43,418]; Acc. No. 1010798
(N.Y. State Dep't of Social Servs. Mar. 17, 1988) 294
Rhoten v. Bowen
854 F.2d 667 (4th Cir. 1988) 830
Richardson v. McDonnell
841 F.2d 120 (5th Cir. 1988) 195
Richardson v. McMahon [43,395]; Acc. Nos. 1010737, 1011358
(Cal. Super. Ct., Kings County, Oct. 17, 1988) 186, 1181
Rickman v. Avaniti
854 F.2d 327 (9th Cir. 1988) 839
Ricks v. City of Toledo [43,763]; Acc. No. 1011067 813
Riesco-Fernandez v. Stringer [43,674]; Acc. No. 1010981
(D. Or. Mar. 8, 1988) 677
Rights to Use Water In Big Horn River, *In re*
753 P.2d 76 (Wyo. 1988) 418
Riley v. National Mines Corp.
852 F.2d 197 (6th Cir. 1988) 695
Rios v. Enterprise Ass'n Steamfitters Local Union 638 [4307]
860 F.2d 1168 (2d Cir. 1988) 1192
Rios v. South Dakota Dep't of Social Servs. [43,328]; Acc. No. 1010666
420 N.W.2d 757 (S.D. 1988) 59
Ritter v. Wayne County Gen. Hosp. [43,281]; Acc. No. 1010623 63
Riveria v. MAB Collections [43,329]; Acc. No. 1010665
682 F. Supp. 174 (W.D.N.Y. 1988) 55
Roberts v. Wamser
679 F. Supp. 1513 (E.D. Mo. 1987) 190
Robertson v. Concannon [43,878]; Acc. No. 1011192 825
Robertson v. Granite City Community Unit School Dist. No. 9
684 F. Supp. 1002 (S.D. Ill. 1988) 539
Robinson v. E-Z Rentals [43,616]; Acc. No. 1010931
(E.D. Tenn. July 20, 1988) 505
Robinson v. Sarisky [43,282]; Acc. No. 1010615
535 A.2d 901 (D.C. 1988) 65

Robinson v. Sizes Unlimited, Inc.
685 F. Supp. 442 (D.N.J. 1988) 544
Rodriguez, *In re* [43,428]; Acc. No. 1010756
(N.Y. Dep't of Social Servs. Apr. 28, 1988) 294
Rodriguez v. INS
841 F.2d 865 (9th Cir. 1988) 193
Rodriguez v. Secretary of HHS
856 F.2d 338 (1st Cir. 1988) 830
Rodriguez v. Wilfred Academy of Hair & Beauty Culture [44,176]; Acc. No. 1011394 1290
Roe v. Richter [43,750]; Acc. No. 1011044 676
Rogero v. Pitt
759 S.W.2d 109 (Tenn. 1988) 1190
Rollins v. Rollins
760 P.2d 1381 (Or. Ct. App. 1988) 1191
Romero v. Department of Social Serv.
425 N.W.2d 570 (Mich. Ct. App. 1988) 702
Roper v. Metropolitan Mortgage [43,703]; Acc. No. 1011002 661
Rosales v. County of Yolo [42,418]; Acc. No. 1010786
(Cal. Super. Ct., Yolo County, Mar. 11, 1988) 292
Rosario v. Livaditis [44,042]; Acc. No. 1011272
(N.D. Ill. Oct. 3, 1988) 1134
Rosas v. McMahon
700 F. Supp. 467 (N.D. Cal. 1988) 1454
Rose, *In re* [43,614]; Acc. No. 1010926
(Mich. Employment Sec. Bd. of Review July 6, 1987) 527
Rose v. A & L Motor Sales
699 F. Supp. 75 (W.D. Pa. 1988) 1324
Ross, *In re* [43,457]; Acc. No. 1010790
(Ariz. Dep't of Economic Sec., Appeals Bd., Jan. 26, 1988) 288
Ross, *In re* [43,477]; Acc. No. 1010821
(SSA, Office of Hearings & App., May 18, 1988) 289
Ross v. Hilltop Rehabilitation Hosp.
676 F. Supp. 1528 (D. Colo. 1987) 88
Ross v. Twenty-Four Collection, Inc.
681 F. Supp. 1547 (S.D. Fla. 1988) 298
Rossi v. Gosling
696 F. Supp. 1079 (E.D. Va. 1988) 1323
Roumel v. Diaz [43,619]; Acc. No. 1010940
(D.C. Super. Ct., Landlord & Tenant, Oct. 17, 1986) 504
Rouse v. Wilson
675 F. Supp. 1012 (W.D. Va. 1987) 88
Royster, *In re* [43,562]; Acc. No. 1011050 689
Ruffin v. Ruffin
753 S.W.2d 824 (Tex. Ct. App. 1988) 843
Ruiz, *In re* [43,615]; Acc. No. 1010924
(Mich. Dep't of Social Servs. Feb. 11, 1987) 533
Ruiz v. Kizer [43,863]; Acc. Nos. 1011165, 1011427
(E.D. Cal. Sept. 30, 1988) 792, 1297
Ruiz v. Wheeler [43,871]; Acc. Nos. 1011180, 1011464
(S.D. Tex. Jan. 25, 1989) 786, 1424
Rural Alaska Community Action Program v. Smith
847 F.2d 535 (9th Cir. 1988) 538
Russell County Dep't of Social Servs. v. Gilbert [44,079]; Acc. No. 1011311
(Va. Sup. Ct. Oct. 14, 1988) 1157
RWB Newton Assoc. v. Gunn [43,458]; Acc. No. 1010797
224 N.J. Super. 704, 541 A.2d 280 (App. Div. 1988) 280
Ryan v. Burlington County, N.J.
860 F.2d 1199 (3d Cir. 1988) 1189

—S—

S. v. Altman
683 F. Supp. 100 (D.N.J. 1988) 418
S. v. Flaherty [44,062]; Acc. No. 1011297
(W.D.N.C. Nov. 21, 1988) 1161
S., Charles, *In re* [43,821]; Acc. No. 1011111
(N.Y. State Dep't of Social Servs. Aug. 25, 1988) 828
S.G. Borello & Sons v. California Dep't of Indus. Relations [43,751]; Acc. No. 1011039 677
Sadler v. Basin Elec. Power Coop.
431 N.W.2d 296 (N.D. 1988) 1193
Saginaw Hous. Comm'n v. Johnson [43,446]; Acc. No. 1010773 281
Salahuddin v. Cuomo
861 F.2d 40 (2d Cir. 1988) 1189
Salahuddin v. Harris
684 F. Supp. 1224 (S.D.N.Y. 1988) 543
Salazar v. Honig [43,559]; Acc. No. 1010877
346 Cal. Rptr. 837 (Ct. App. 1988) 396
Salazar v. Ohio Civil Rights Comm'n
528 N.E.2d 1303 (Ohio Ct. App. 1987) 1328
Saldana v. Essex County Div. of Welfare
539 A.2d 733 (N.J. Super. Ct., App. Div. 1987) 304
Salgado v. Jackson [44,064]; Acc. No. 1011295 1133
Salinas-Pena v. INS [42,510]; Acc. No. 1010644 68
Sample v. Payne [43,459]; Acc. No. 1010796 284
Samples v. Secretary of HHS [43,578]; Acc. No. 1010894
(6th Cir. May 11, 1988) 523
Sampson County *ex rel.* McPherson v. Stevens
372 S.E.2d 340 (N.C. Ct. App. 1988) 1191
San Francisco NAACP v. San Francisco Unified School Dist.
695 F. Supp. 1033 (N.D. Cal. 1988) 1192
Sanborn, Allen, *In re*
545 A.2d 726 (N.H. 1988) 837
Sanchez v. Board of Supervisors of Los Angeles County [43,332]; Acc. No. 1010671
(Cal. Super. Ct., Los Angeles County, Dec. 31, 1987) 63
Sanchez v. Century One Builders & Inv. [43,829]; Acc. No. 1011113 781
Sanders v. HUD [43,803]; Acc. No. 1011161 798
Sanders v. Pounders [43,460]; Acc. No. 1010800 283
Sanders v. Robinson
864 F.2d 630 (9th Cir. 1988) 1451

Sanders v. Shephard [43,579]; Acc. No. 1010901 506
Sandoval v. Colorado Div. of Employment [43,463]; Acc. No. 1010806
757 P.2d 1105 (Colo. Ct. App. 1988) 289, 702
Santa Barbara Commercial Serv. Bureau v. Doe [44,140]; Acc. No. 1011355 1150
Santiago v. Coughlin [44,216]; Acc. No. 1011441
(N.Y. Sup. Ct., Chemung County, Dec. 8, 1988) 1309
Santiago v. Lane
697 F. Supp. 300 (N.D. Ill. 1988) 1197
Saravia v. 1736 18th St., N.W., Ltd. Partnership [43,353]; Acc. No. 1010691
844 F.2d 823 (D.C. Cir. 1988) 177
Sarrassat v. Bowen [43,444]; Acc. No. 1010772 274
Saucier, *In re* [43,648]; Acc. No. 1010955 529
Saunders & Assoc. v. 29 Newbury St. (*In re* 29 Newbury St., Inc.)
856 F.2d 424 (1st Cir. 1988) 831
Savidge v. Fincannon
836 F.2d 898 (5th Cir. 1988) 88
Saxton v. Gem County [43,317]; Acc. No. 1010655
(Idaho Sup. Ct. Feb. 18, 1988) 63
Scalio v. Income Maintenance Admin. [43,875]; Acc. Nos. 1011186, 1011455
(Md. Cir. Ct., Baltimore City, Nov. 17, 1988) 827, 1318
Scalise v. Meese
687 F. Supp. 1239 (N.D. Ill. 1988) 699
Schactman v. New York Div. of Hous. & Community Renewal
531 N.Y.S.2d 804 (N.Y. App. Div. 1988) 1196
Schaffer v. Colorado Dep't of Social Servs.
759 P.2d 837 (Colo. Ct. App. 1988) 836
Schisler v. Bowen [32,771]
851 F.2d 43 (2d Cir. 1988) 700
Schleigh v. Reigh [38,543]; Acc. No. 1010887 502
Schmerler v. FBI
696 F. Supp. 717 (D.D.C. 1988) 1328
Schmidt v. Citibank
677 F. Supp. 687 (D. Conn. 1987) 85
Schmit v. United States
688 F. Supp. 1466 (D. Nev. 1988) 692
Schnicke v. Schnicke
533 So. 2d 337 (Fla. Dist. Ct. App. 1988) 1445
Schrand v. Federal Pac. Elec./Reliance Elec.
687 F. Supp. 1182 (S.D. Ohio 1987) 692
Schroeder v. Gurvis [43,762]; Acc. No. 1011064 780
Schwarcz v. Schwarcz
548 A.2d 556 (Pa. Super. Ct. 1988) 1447
Schweiker v. Chilicky
108 S. Ct. 2460 (1988) 421
Scott v. Bowen
845 F.2d 790 (8th Cir. 1988) 422
Scott v. Hamlet Hous. Auth. [43,152]; Acc. No. 1011221
(M.D.N.C. Sept. 16, 1988) 1154
Scott v. Labor & Indus. Relations Comm'n
757 S.W.2d 635 (Mo. Ct. App. 1988) 1324
Seaberry v. W.T. Bridgers Contract Labor
372 S.E.2d 348 (N.C. Ct. App. 1988) 1200
Seales v. Bowen
686 F. Supp. 215 (N.D. Ill. 1988) 544
Seales v. Drew [43,992]; Acc. No. 1011250 1154
Searcy v. Crim
692 F. Supp. 1363 (N.D. Ga. 1988) 831
Sears v. Stinson
367 S.E.2d 233 (Ga. Ct. App. 1988) 297
Secor v. Richmond School Joint Dist.
689 F. Supp. 869 (E.D. Wis. 1988) 695
Secretary of Labor v. Lauritzen
835 F.2d 1529 (7th Cir. 1987) 91
Segal v. Sacco
529 N.E.2d 1038 (Ill. App. Ct. 1988) 1324
Sellers v. Delgado Community College
839 F.2d 1132 (5th Cir. 1988) 191
Sellers v. United Home Food Distrib., Inc. [44,043]; Acc. No. 1011269
(Okla. Dist. Ct., Oklahoma County, Oct. 14, 1988) 1136
Sevier v. Turner [43,333]; Acc. No. 1010670 57
Shabazz v. Coughlin
852 F.2d 697 (2d Cir. 1988) 698
Shackleton v. Bowen [44,152]; Acc. No. 1011452 1313
Shaddy v. Gunter
690 F. Supp. 860 (D. Neb. 1988) 839
Shappy v. Bowen [43,484]; Acc. No. 1010837
(D. Vt. May 4, 1988) 407
Sharp v. Perales [44,204]; Acc. No. 1011432
(N.Y. Sup. Ct., Suffolk County, Nov. 7, 1988) 1319
Sharp v. Union Carbide Corp.
525 N.E.2d 1386 (Ohio 1988) 843
Shaw v. McMahon [39,686]; Acc. No. 1011380
(Cal. Super. Ct., Contra Costa County, Jan. 5, 1989) 1317
Sheely v. Wisconsin Dep't of Health & Social Servs. [43,864]; Acc. No. 1011163 776
Shelly v. Johnson
849 F.2d 228 (6th Cir. 1988) 538
Shelter Am. v. Castillo [43,846]; Acc. No. 1011135
(N.M. Dist. Ct., Bernalillo County, July 28, 1988) 811
Shendock v. Director, Office of Workers' Compensation Programs
861 F.2d 408 (3d Cir. 1988) 1329
Shepard v. Bowen
695 F. Supp. 985 (C.D. Ill. 1988) 1188
Shepherd v. Shepherd
531 So. 2d 668 (Ala. Civ. App. 1988) 1445
Sheppard v. Deukmejian [43,667]; Acc. No. 1010964 508
Shoemaker v. Bowen
853 F.2d 858 (11th Cir. 1988) 691
Shopko Stores v. Kujak [43,390]; Acc. No. 1010731 163

Shorter v. Valley Bank & Trust Co.
678 F. Supp. 714 (N.D. Ill. 1988) 189
Shreve v. DOL
864 F.2d 32 (4th Cir. 1988) 1449
Shufelt v. Department of Employment
531 A.2d 894 (Vt. 1987) 93
Sias v. Secretary of HHS
861 F.2d 475 (6th Cir. 1988) 1332
Siemion v. Illinois Dep't of Pub. Aid [43,291]; Acc. No. 1010635
522 N.E.2d 627 (Ill. App. Ct. 1988) 64
Silveira v. Lewis [43,956]; Acc. No. 1011217 1159
Simcox v. Simcox
529 N.E.2d 1032 (Ill. App. Ct. 1988) 1325
Simmons v. Cohen
551 A.2d 1124 (Pa. Commw. Ct. 1988) 1444
Sims v. Dugger
519 So. 2d 1080 (Fla. Dist. Ct. App. 1988) 91
Singleton v. Bowen
841 F.2d 710 (7th Cir. 1988) 188
Sioux Tribe v. United States
862 F.2d 275 (Fed. Cir. 1988) 1330
Sisk v. Bowen
692 F. Supp. 1076 (W.D. Mo. 1988) 831
Sisseton-Wahpeton Sioux Tribe v. United States
686 F. Supp. 831 (D. Mont. 1988) 697
Skinner v. Boston Hous. Auth. [43,613]; Acc. No. 1010930
690 F. Supp. 109 (D. Mass. 1988) 515
Skipper v. Duffy [37,338]; Acc. Nos. 1011183, 1011389
703 F. Supp. 697 (N.D. Ill. 1988) 788, 1295
Slaughter v. Levine [42,576]; Acc. No. 1011126
(D. Minn. Aug. 30, 1988) 824
Sleeseman v. State Bd. of Educ. [43,470]; Acc. No. 1010828 271
Slessinger v. Secretary of HHS
835 F.2d 937 (1st Cir. 1987) 92
Slover v. Smith [43,962]; Acc. No. 1011231
765 P.2d 1202 (Okla. 1988) 1136
Smigelsky v. Barnett Bank of Cent. Fla.
529 So. 2d 765 (Fla. Dist. Ct. App. 1988) 832
Smith v. Bounds [16,775]; Acc. No. 1010614
(4th Cir. Mar. 3, 1988);
841 F.2d 77 (4th Cir. 1988) 74, 195
Smith v. Bowen [43,316]; Acc. No. 1010656
(M.D. Fla. Apr. 29, 1986) 74
Smith v. Bowen [43,749]; Acc. No. 1011043
(M.D. Fla. July 28, 1988) 657
Smith v. Bowen
687 F. Supp. 902 (S.D.N.Y. 1988) 701
Smith v. Bowen [43,894]; Acc. No. 1011206
(N.D. Ill. Sept. 2, 1988) 817
Smith v. Bowen
698 F. Supp. 711 (N.D. Ill. 1988) 1333
Smith v. Clinton
687 F. Supp. 1310 (E.D. Ark. 1988);
687 F. Supp. 1361 (E.D. Ark. 1988) 693
Smith v. Eley
675 F. Supp. 1301 (D. Utah 1987) 86
Smith v. Employment Div. [43,961]; Acc. No. 1011230
307 Or. 68, 763 P.2d 145 (1988) 1165
Smith v. First Nat'l Bank of Atlanta
837 F.2d 1575 (11th Cir. 1988) 190
Smith v. Housing Auth. of Louisville [44,053]; Acc. No. 1011278 1141
Smith v. Housing Auth. of Vancouver [43,581]; Acc. No. 1010895 516
Smith v. INS
684 F. Supp. 1113 (D. Mass. 1988) 542
Smith v. Jones
757 S.W.2d 436 (Tex. Ct. App. 1988) 1192
Smith v. Secretary of HHS [43,835]; Acc. No. 1011132
(E.D. Mich. May 31, 1988) 817
Smith v. Shettle
690 F. Supp. 746 (N.D. Ind. 1988) 839
Smith v. Smith
530 So. 2d 1389 (Ala. 1988) 1324
Smith v. Smith
757 S.W.2d 422 (Tex. Ct. App. 1988) 1188
Smith-Bey v. Cripe
852 F.2d 592 (D.C. Cir. 1988) 698
Smithson v. United States
847 F.2d 791 (Fed. Cir. 1988) 544
Snell v. Tunnell
698 F. Supp. 1541 (W.D. Okla. 1988) 1329
Snipes v. Carr
526 So. 2d 591 (Ala. Civ. App. 1988) 538
Snyder v. Bowen
694 F. Supp. 90 (M.D. Pa. 1988) 842
Sobocinski v. Bowen
678 F. Supp. 55 (S.D.N.Y. 1987) 93
Solett v. VA [44,137]; Acc. No. 1011351
(Bankr. D. Me. Oct. 14, 1988) 1131
Sorensen v. Munson [41,769]; Acc. No. 1011010
(Alaska Super. Ct., 3d Dist., Feb. 22, 1988) 687
Soriano v. Xavier Univ. Corp.
687 F. Supp. 1188 (S.D. Ohio 1988) 694
Soto v. Lord
693 F. Supp. 8 (S.D.N.Y. 1988) 840
South Dakota v. Onihan [44,129]; Acc. No. 1011341
427 N.W.2d 365 (S.D. 1988) 1166
South Dakota *ex rel.* Joseph v. Redwing
429 N.W.2d 49 (S.D. 1988) 1197
Spada v. Bowen
687 F. Supp. 188 (E.D. Pa. 1988) 701
Sparks v. Indiana Dep't of Employment & Training Serv.
531 N.E.2d 227 (Ind. Ct. App. 1988) 1454
Spence v. Bowen [43,542]; Acc. No. 1010855
682 F. Supp. 236 (D. Del. 1988) 389
Spencer v. Aetna Fin. [43,781]; Acc. No. 1011087 781
Spielberg v. Henrico County Pub. Schools
853 F.2d 256 (4th Cir. 1988) 694

Spivak v. Coulter Elec., Inc.
686 F. Supp. 897 (S.D. Fla. 1988) 694
Sprague Elec. v. Maine Unemployment Ins. Comm'n [43,592]; Acc. No. 1010905
544 A.2d 728 (Me. Sup. Jud. Ct. 1988) 526
Sprandel v. Secretary of HHS [41,520]
838 F.2d 23 (1st Cir. 1988) 196
Spratt v. Department of Social Servs.
426 N.W.2d 780 (Mich. Ct. App. 1988) 844
Spruil v. Bowen
691 F. Supp. 302 (M.D. Fla. 1988) 831
St. Cloud v. United States [44,082]; Acc. No. 1011318
702 F. Supp. 1456 (D.S.D. 1988) 1164
Stansbury v. Harford County Bd. of Educ. [44,130]; Acc. No. 1011342
(D. Md. Nov. 16, 1988) 1139
Staples v. Young
679 F. Supp. 884 (W.D. Wis. 1988) 195
Starks v. Utah Dep't of Social Servs. [43,289]; Acc. No. 1010631
750 P.2d 199 (Utah Ct. App. 1988) 58
Stat Ambulance Serv. v. Starr [44,206]; Acc. No. 1011431 1300
Stead v. Ellenbecker [44,199]; Acc. No. 1011420 1298
Steele v. Steele
757 S.W.2d 340 (Tenn. Ct. App. 1988) 1191
Steeley v. Dunivant
522 So. 2d 299 (Ala. Ct. App. 1988) 297
Stefan v. Laurenitis
695 F. Supp. 1330 (D. Mass. 1988) 1188
Stenger v. Bowen
692 F. Supp. 1474 (E.D.N.Y. 1988) 836
Stensvad v. Towe
759 P.2d 138 (Mont. 1988) 832
Stevens v. HHS
689 F. Supp. 517 (W.D. Pa. 1988) 701
Stewart v. County of Butte [38,577]; Acc. No. 1010809
(Cal. Super. Ct., Butte County, Apr. 28, 1988) 291
Stewart v. McMickens
677 F. Supp. 226 (S.D.N.Y. 1988) 91
Stewart v. Stewart
521 N.E.2d 956 (Ind. Ct. App. 1988) 414
Stockton v. Indiana Dep't of Pub. Welfare [42,714]; Acc. No. 1010705 169
Stone Run E. Assocs. v. McDonald [43,845]; Acc. No. 1011142
(Mass. Dist. Ct., Quincy Div., Sept. 19, 1988) 807
Stoner v. Secretary of HHS
837 F.2d 759 (6th Cir. 1987) 196
Storey v. Meijer, Inc. [42,660]; Acc. No. 1011144
429 N.W.2d 169 (Mich. 1988) 787
Stout v. Jefferson County Bd. of Educ.
845 F.2d 1559 (11th Cir. 1988) 415
Stratton, *In re*
526 N.E.2d 201 (Ill. App. Ct. 1988) 834
Strichko v. Pennsylvania Unemployment Compensation Bd. of Review
547 A.2d 496 (Pa. Commw. Ct. 1988) 1200
Stringer, *In re*
847 F.2d 549 (9th Cir. 1988) 536
Stroop v. Bowen [43,018]; Acc. No. 1011261 1177
Strube v. Strube
764 P.2d 731 (Ariz. 1988) 1331
Sturm v. Clark
835 F.2d 1009 (3d Cir. 1987) 91
Suarez v. Illinois Valley Community College
688 F. Supp. 376 (N.D. Ill. 1988) 694
Sullivan v. FmHA [42,995]
691 F. Supp. 927 (E.D.N.C. 1988) 840
Sullivan v. Willock (*In re* Wey)
854 F.2d 196 (7th Cir. 1988) 831
Summers, *In re*
551 A.2d 1134 (Pa. Commw. Ct. 1988) 1449
Swanson v. Idaho
759 P.2d 898 (Idaho 1988) 842
Swanson v. Southern Or. Credit Serv. [44,188]; Acc. No. 1011409
869 F.2d 1222 (9th Cir. 1988) 1289
Sweazey v. Bowen [43,986]; Acc. No. 1011238
(S.D. Ohio Mar. 30, 1988) 1170

—T—

T., *In re* [43,675]; Acc. No. 1010974
544 A.2d 1302 (Me. Sup. Jud. Ct. 1988) 674
T., *In re* [43,676]; Acc. No. 1010979
(Cal. Dep't of Health Servs. July 25, 1988) 668
T. v. Patterson [43,366]; Acc. Nos. 1010706, 1011254
(Ark. Chancery Ct., Pulaski County, Oct. 12, 1988) 176, 1158
T., C., *In re*
749 S.W.2d 214 (Tex. Ct. App. 1988) 542
T., Rachel, *In re* [44,207]; Acc. No. 1011429
549 A.2d 27 (Md. Ct. Spec. App. 1988) 1305
Tabib, *In re* [43,692]; Acc. No. 1010991
(SSA, Office of Hearings & App., July 8, 1988) 684
Taglieri v. Rubin [44,264]; Acc. No. 1011480
(Haw. Cir. Ct., 1st Cir., Nov. 18, 1988) 1441
Tannehill v. Bowen
687 F. Supp. 555 (N.D. Ala. 1987) 701
Tascheck v. Bowen [43,527]; Acc. No. 1010844
(W.D. Wis. May 13, 1988) 398
Tate v. Frey [16,567]; Acc. No. 1011428
(W.D. Ky. Oct. 16, 1987) 1307
Tay v. Flaherty
368 S.E.2d 403 (N.C. Ct. App. 1988) 540
Taylor v. Bowen
687 F. Supp. 1475 (D. Idaho 1988) 701
Taylor v. First Fed. Sav. & Loan Ass'n of Monessen
843 F.2d 153 (3d Cir. 1988) 296
Taylor v. Koon
682 F. Supp. 475 (D. Nev. 1988) 303

Taylor v. Marshall Plaza II [44,277]; Acc. No. 1011493
(Ohio Ct. App. Feb. 8, 1989) 1432
Taylor v. Martin [44,183]; Acc. No. 1011407
(Del. J.P. Ct., Kent County, Sept. 28, 1988) 1288
Taylor v. Peabody Coal Co.
838 F.2d 227 (7th Cir. 1988) 192
Taylor v. Secretary of La. Dep't of Health & Human Resources [41,286]; Acc. No. 1011439 1317
Teasley v. Board of Supervisors of Orange County [43,422]; Acc. No. 1010753
(Cal. Super. Ct., Orange County, Nov. 17, 1987) 276
Teitell v. Pennsylvania Unemployment Compensation Bd. of Review
546 A.2d 706 (Pa. Commw. Ct. 1988) 843
Temple v. District of Columbia Rental Hous. Comm'n [43,267]; Acc. No. 1010603
536 A.2d 1024 (D.C. 1987) 66
Tenants v. Chapel Hill Hous. Auth. [44,189]; Acc. No. 1011410 1305
Tenney v. Bowen
687 F. Supp. 324 (W.D. Mich. 1988) 701
Tepper v. Bowen
687 F. Supp. 428 (N.D. Ill. 1988) 691
Termunde v. Cook
684 F. Supp. 255 (D. Utah 1988) 420
Tesack v. Waterford Park, Inc.
689 F. Supp. 604 (N.D. W. Va. 1988) 699
Texas Medical Ass'n v. Bowen
678 F. Supp. 643 (W.D. Tex. 1987) 192
Theriault v. Magnusson
698 F. Supp. 369 (D. Me. 1988) 1331
Theus v. Theus [43,761]; Acc. No. 1011062 785
Thomas, *In re* [43,447]; Acc. No. 1010767
(Cal. Dep't of Hous. & Community Dev. Apr. 25, 1988) 282
Thomas v. Bennett [42,340]; Acc. No. 1011189
856 F.2d 1165 (8th Cir. 1988) 779
Thomas v. Bowen
693 F. Supp. 950 (W.D. Wash. 1988) 842
Thompson v. Midwest Found. Indep. Physicians Ass'n [43,462]; Acc. No. 1010805
(S.D. Ohio 1988) 275
Thorne v. Bailey
846 F.2d 241 (4th Cir. 1988) 414
Thornton v. Hunt
852 F.2d 527 (11th Cir. 1988) 699
Throneberry, *In re*
754 S.W.2d 633 (Tenn. Crim. App. 1988) 833
Tietjen v. United States Veteran's Admin.
692 F. Supp. 1106 (D. Ariz. 1988) 843
Tillman v. Housing Auth. of Pittsburgh [43,352]; Acc. Nos. 1010687, 1011143
(3d Cir. Mar. 15, 1988) 173, 796
Tindell v. Rogosheske
421 N.W.2d 340 (Minn. Ct. App. 1988) 415
Tinsley v. Pierce [44,154]; Acc. No. 1011372 1302
Tirado v. Bowen
842 F.2d 595 (2d Cir. 1988) 303
Tirone v. Secretary of HHS
687 F. Supp. 145 (D.N.J. 1988) 701
Todd v. Norman
840 F.2d 608 (8th Cir. 1988) 199
Todd v. Romano
550 A.2d 111 (N.H. 1988) 1444
Todd v. Sorrell [42,151]; Acc. No. 1010783
841 F.2d 88 (4th Cir. 1988) 274
Toliver v. Sullivan County
841 F.2d 41 (2d Cir. 1988) 189
Tomas v. Tomas
764 P.2d 1250 (Haw. Ct. App. 1988) 1445
Tommy Nobis Center v. Barfield
370 S.E.2d 517 (Ga. Ct. App. 1988) 835
Toney v. Whitfield
531 So. 2d 445 (La. 1988) 1453
Torres v. Florida Dep't of Health & Rehabilitative Servs.
516 So. 2d 13 (Fla. Dist. Ct. App. 1987) 90
Torres v. Secretary of HHS
845 F.2d 1136 (1st Cir. 1988) 421
Torvik v. Shepherd [43,734]; Acc. No. 1011030 673
Town of Brookhaven v. Marian Chun Enters. [43,639]; Acc. No. 1010967
528 N.Y.S.2d 822 (1988) 658
Transamerica Fin. Corp. v. Superior Court
746 P.2d 497 (Ariz. Ct. App. 1987) 85
Trapp v. HUD [44,278]; Acc. No. 1011487
(N.D. Ill. Jan. 27, 1989) 1430
Traughber v. Master Care/Contract [43,315]; Acc. No. 1010657 77
Traynor v. Turnage [41,207]
108 S. Ct. 1372 (1988) 198
Treatment of Job Corps Allowances Under AFDC, *In re* [44,284]; Acc. No. 1011506 1442
Trent v. AT&T Technologies, Inc.
694 F. Supp. 1575 (N.D. Ga. 1988) 1193
Tribal Village of Akutan v. Hodel
859 F.2d 651 (9th Cir. 1988) 1193
Trostel v. Bowen [43,759]; Acc. No. 1011061
695 F. Supp. 1418 (E.D.N.Y. 1988) 818
Truax, Marriage of, *In re*
522 N.E.2d 402 (Ind. Ct. App. 1988) 414
Truax v. Bowen
842 F.2d 995 (8th Cir. 1988) 296
Truitt v. Truitt
431 N.W.2d 454 (Mich. Ct. App. 1988) 1446
Tuffey, *In re* [43,442]; Acc. No. 1010768
(N.Y. State Dep't of Labor Apr. 20, 1988) 290
Tulley v. Ethyl Corp.
678 F. Supp. 614 (M.D. La. 1987) 196
Tunis v. Corning Glass Works
698 F. Supp. 452 (S.D.N.Y. 1988) 1327
Turner, *In re* [43,612]; Acc. No. 1010927
(Mich. Employment Sec. Comm'n Mar. 21, 1988) 528
Turner v. Bowen
856 F.2d 695 (4th Cir. 1988) 840

Turner v. Perales [41,234]; Acc. No. 1011379 1312
Turton v. Crisp County School Dist.
688 F. Supp. 1535 (M.D. Ga. 1988) 691
Tusson v. Bowen
675 F. Supp. 1032 (E.D. La. 1987) 93
Twelve John Does v. District of Columbia
855 F.2d 874 (D.C. Cir. 1988);
861 F.2d 295 (D.C. Cir. 1988) 1197, 1330
Twin City Constr. Co. v. Turtle Mountain Band
857 F.2d 1177 (8th Cir. 1988) 1197
Two Uniform Gift to Minor Accounts, *In re* [43,993]; Acc. No. 1011251
(Cal. Super. Ct., Los Angeles County, Sept. 27, 1988) 1181
Tyler, *In re*
677 F. Supp. 1410 (D. Neb. 1987) 91
Tyler v. Fitzsimmons [43,876]; Acc. No. 1011187 820
Tynan v. Woolley [42,820]; Acc. No. 1010899
(New York Dep't of Educ. July 1, 1988) 507

—U—

U.S. Home & Realty Corp. v. Lehnartz [43,259]; Acc. No. 1010605
(Mich. Dist. Ct. Jan. 8, 1988) 57
Ulaleo v. Paty [43,773]; Acc. No. 1011072 811
Unemployment Appeals Comm'n v. Gretz
519 So. 2d 1025 (Fla. Dist. Ct. App. 1988) 84
United Farm Workers of Am. v. INS [42,723]; Acc. Nos. 1010646, 1010817, 1011088
(E.D. Cal. May 9, 1988);
(E.D. Cal. Sept. 20, 1988) 67, 283, 804
United States v. Austin
856 F.2d 1487 (11th Cir. 1988) 840
United States v. Bay Mills Indian Community
692 F. Supp. 777 (W.D. Mich. 1988) 838
United States v. City of Yonkers
856 F.2d 444 (2d Cir. 1988) 835
United States v. Edwards [43,554]; Acc. No. 1010865 406
United States v. Ghebreziabher
701 F. Supp. 115 (E.D. La. 1988) 1450
United States v. Kent
679 F. Supp. 985 (E.D. Cal. 1987) 194
United States v. Laughing
855 F.2d 659 (9th Cir. 1988) 838
United States v. Martin [43,735]; Acc. No. 1011029 671
United States v. Michigan
680 F. Supp. 270 (W.D. Mich. 1988);
680 F. Supp. 928 (W.D. Mich. 1987) 195
United States v. Mikolaitis
682 F. Supp. 798 (M.D. Pa. 1988) 303
United States v. 122.00 Acres, in Koochiching County, Minn.
856 F.2d 56 (8th Cir. 1988) 1187
United States v. One 1984 Chevrolet Truck
701 F. Supp. 213 (N.D. Ga. 1988) 1443
United States v. Oregon
839 F.2d 635 (9th Cir. 1988) 189
United States v. Oregon
699 F. Supp. 1456 (D. Or. 1988) 1452
United States v. Payne
836 F.2d 914 (5th Cir. 1988) 94
United States v. Saucedo-Velasquez
843 F.2d 832 (5th Cir. 1988) 300
United States v. Spears
859 F.2d 284 (3d Cir. 1988) 1198
United States v. Starrett City Assoc.
840 F.2d 1096 (2d Cir. 1988) 193
United States v. Vonderau
837 F.2d 1540 (11th Cir. 1988) 198
United States v. Yonkers Bd. of Educ.
675 F. Supp. 1407 (S.D.N.Y. 1987);
675 F. Supp. 1413 (S.D.N.Y. 1987) 89
United States *ex rel.* Aslanian v. Deukmejian [44,261]; Acc. No. 1011478 1435
United States Dep't of Justice v. Julian
108 S. Ct. 1606 (1988) 298
Upson v. Watson [43,792]; Acc. No. 1011096 824
Urbish v. Lamm
761 P.2d 756 (Colo. 1988) 1195
Urich v. White [43,258]; Acc. No. 1010606 58
Urrutia v. United States [43,776]; Acc. No. 1011076 809
Urrutia v. Valero Energy Corp.
841 F.2d 123 (5th Cir. 1988) 191
Utah v. Murphy
760 P.2d 280 (Utah 1988) 1196
Utah v. Yates [43,836]; Acc. No. 1011126 806

—V—

V. v. Providence School Bd.
680 F. Supp. 66 (D.R.I. 1988) 192
V., J. v. Florida
516 So. 2d 1133 (Fla. Dist. Ct. App. 1987) 89
V., L.A., *In re*
516 So. 2d 1315 (La. Ct. App. 1987) 90
VA's Gen. Counsel's Opinion re Treatment of Tribal Per Capita Payments for Improved Pension Purposes, *In re* [43,331]; Acc. No. 1010664
(VA Gen. Counsel Mar. 1, 1988) 73
Valencia v. Bowen
691 F. Supp. 1120 (N.D. Ill. 1988) 841
Vance v. Southern Bell Tel. & Tel. Co.
863 F.2d 1503 (11th Cir. 1989) 1447
Vanderpool v. Cowherd [43,649]; Acc. No. 1010949 525
Vandever v. Kansas Dep't of Revenue
763 P.2d 317 (Kan. 1988) 1188

Vanscoter v. Bowen [41,726]; Acc. Nos. 1010920, 1011235, 1011511
706 F. Supp. 1432 (W.D. Wash. 1988);
(W.D. Wash. Oct. 13, 1988);
(W.D. Wash. Feb. 8, 1989) 529, 1179, 1441
Vanscoy v. Hicks
691 F. Supp. 1336 (M.D. Ala. 1988) 839
Vargas v. Meese
682 F. Supp. 591 (D.D.C. 1987) 301
Vargas v. Swan
854 F.2d 1028 (7th Cir. 1988) 837
Varney v. Secretary of HHS
846 F.2d 581 (9th Cir. 1988);
859 F.2d 1396 (9th Cir. 1988) 422, 1199
Vaughan v. Shop & Go
526 So. 2d 91 (Fla. Dist. Ct. App. 1987) 545
Veal v. First Am. Sav. Bank [43,467]; Acc. No. 1010804 271
Velasquez v. Director, Office of Workers' Compensation Programs, U.S. Dep't of Labor
844 F.2d 738 (10th Cir. 1988) 296
Vermont Dep't of Social Welfare v. Lamb [43,319]; Acc. Nos. 1010653, 1010784, 1011315
(Vt. Human Servs. Bd. Mar. 22, 1988);
(D. Vt. Sept. 6, 1988) 59, 273, 1132
Vierra v. Rubin [44,266]; Acc. No. 1011483
(D. Haw. Jan. 23, 1989) 1440
Vietnam Veterans v. Secretary of the Navy
843 F.2d 528 (D.C. Cir. 1988) 304
Vieweg v. Friedman
526 N.E.2d 364 (Ill. App. Ct. 1988) 832
Vigil, *In re* [43,889]; Acc. No. 1011199
(Ariz. Dep't of Economic Sec., Office of Appeals,
June 9, 1988) 828
Villa Morales v. Bowen [44,246]; Acc. No. 1011473
(S.D.N.Y. Jan. 26, 1989) 1437
Villareal v. Dopp [44,153]; Acc. No. 1011373 1306
Vilorio-Lopez v. INS
852 F.2d 1137 (9th Cir. 1988) 696
Vines v. Howard
676 F. Supp. 608 (E.D. Pa. 1987) 91
Vingara v. Borough of Wrightstown [42,795]; Acc. No. 1010781 281
Vipperman, *In re* [43,404]; Acc. No. 1010720
(S.S.A., Office of Hearings & App.,
Feb. 19, 1988) 182
Vir v. Weaver [43,957]; Acc. No. 1011209
(Me. Super. Ct., Cumberland County,
Aug. 4, 1988) 1138
Visco v. School Dist. of Pittsburgh
684 F. Supp. 1310 (W.D. Pa. 1988) 540

—W—

W. v. Cabinet for Human Resources [43,704]; Acc. No. 1011006
(W.D. Ky. Oct. 3, 1986) 665
W., Gary v. Louisiana Dept. of Health & Human Resources [14,420]
861 F.2d 1366 (5th Cir. 1988) 1323
W., M., *In re*
764 P.2d 1279 (Mont. 1988) 1450
Wachter v. Ascero
550 A.2d 1019 (Pa. Super. Ct. 1988) 1447
Waddell, *In re* [44,228]; Acc. No. 1011460 1435
Wagaman v. Bowen
698 F. Supp. 187 (D.S.D. 1988) 1323
Wagner v. Duffy
700 F. Supp. 935 (N.D. Ill. 1988) 1444
Wakefield v. Mathews
852 F.2d 482 (9th Cir. 1988) 691
Waldrop v. Evans
681 F. Supp. 840 (M.D. Ga. 1988) 302
Walker v. City of Mesquite [42,158]
858 F.2d 1071 (5th Cir. 1988) 1189
Walker v. Department of Health & Rehabilitative Servs.
533 So. 2d 836 (Fla. Dist. Ct. App. 1988) 1449
Walker v. Gatson
370 S.E.2d 725 (W. Va. 1988) 843
Walker v. Walker
368 S.E.2d 89 (S.C. Ct. App. 1988) 693
Wallace v. Bowen
855 F.2d 101 (3d Cir. 1988) 840
Wallace v. Welch [43,994]; Acc. No. 1011248
(Okla. Sup. Ct. Sept. 26, 1988) 1136
Wallers v. United States
847 F.2d 1279 (7th Cir. 1988) 544
Walls v. District of Columbia [43,461]; Acc. No. 1010839 402
Walsh v. Wal-Mart Stores, Inc.
836 F.2d 1152 (8th Cir. 1988) 85
Walter v. Secretary of HHS [44,098]; Acc. No. 1011323 1170
Walters v. Ginsberg [44,054]; Acc. No. 1011290 1177
Ward v. San Diego County Dep't of Social Servs.
691 F. Supp. 238 (S.D. Cal. 1988) 837
Ware v. Housing Auth. of Berkeley [42,982]; Acc. No. 1011499
(N.D. Cal. Nov. 4, 1988) 1429
Ware v. McKnight
534 A.2d 771 (Pa. Super. Ct. 1987) 86
Warner v. Graham
675 F. Supp. 1171 (D.N.D. 1987) 87
Washington v. Duty Free Shoppers
696 F. Supp. 1322 (N.D. Cal. 1988) 1324
Washington Gas Light Co. v. 1736 18th St., N.W. Ltd. Partnership [43,605]; Acc. No. 1010928
(D.C. Super. Ct., Civ. Div., May 2, 1988) 519
Washington State Coalition for the Homeless v. Sugarman [44,223]; Acc. No. 1011450
(Wash. Super. Ct., Thurston County,
Dec. 19, 1988) 1320
Washington State Plan Amendment No. 86-8, *In re* [43,531]; Acc. No. 1010843 400

Waters v. Cabinet for Human Resources
736 S.W.2d 365 (Ky. Ct. App. 1987) 90
Watkins v. Reagen [43,214]; Acc. No. 1010972
(W.D. Mo. July 28, 1988) 664
Watson v. Seekins
763 P.2d 328 (Mont. 1988) 1200
Watts, *In re* [42,578]; Acc. No. 1011301
93 Bankr. 350 (E.D. Pa. 1988) 1131
Waugh v. Department of Health & Mental Hygiene [43,837]; Acc. No. 1011131
(Md. Cir. Ct., Carroll County, Sept. 12, 1988) 794
Webb v. Bowen [43,708]; Acc. No. 1011004
851 F.2d 190 (8th Cir. 1988) 680
Webb v. Hillsborough County Hosp. Auth.
521 So. 2d 199 (Fla. Dist. Ct. App. 1988) 299
Weidner v. Alaska
764 P.2d 717 (Alaska Ct. App. 1988) 1323
Welch v. Bowen
854 F.2d 436 (11th Cir. 1988) 841
Welch v. Iowa Dep't of Emp. Servs. [43,345]; Acc. No. 1010683 184
Welch v. Partners Health Plan of S. Cal. [44,287]; Acc. No. 1011507 1427
Welfare Rights Org. v. County of Humboldt [44,138]; Acc. No. 1011354
(Cal. Super. Ct., Humboldt County, Sept. 7, 1988) 1182
Welfare Rights Org. v. Martin [43,471]; Acc. No. 1010827
(Cal. Super. Ct., San Diego County, Sept. 14, 1987) 277
Wells v. Bowen
855 F.2d 37 (2d Cir. 1988) 830
Werner v. Wright
737 S.W.2d 761 (Mo. Ct. App. 1987) 90
West v. Atkins [41,889]
108 S. Ct. 2250 (1988) 418
West v. Bowen [44,143]; Acc. No. 1011360
(E.D. Pa. Jan. 5, 1988) 1145
West v. Bowen [44,068]; Acc. No. 1011304
(W.D. Tex. Aug. 5, 1988) 1171
Westbrook v. Commissioner of Dep't of Human Servs.
540 A.2d 1118 (Me. 1988) 424
Westchester County Medical Center, *In re*
531 N.E.2d 607 (N.Y. 1988) 1449
Western & S. Life Ins. Co. v. Smith
859 F.2d 407 (6th Cir. 1988) 1195
Westhampton Mortgage Co. v. Keys [43,389]; Acc. No. 1010730
(Va. Dist. Ct., City of Richmond, Dec. 9, 1987) 165
Westinghouse v. Pennsylvania Unemployment Compensation Bd. of Review
549 A.2d 623 (Pa. Commw. Ct. 1988) 1200
Wetterhahn v. Kim Co.
430 N.W.2d 4 (Minn. Ct. App. 1988) 1333
White v. AJY Management Group [43,783]; Acc. No. 1011085
(Ill. Cir. Ct., Piatt County, Sept. 1, 1988) 803
White v. Bowen
835 F.2d 974 (2d Cir. 1987) 92
White v. Wigginton [43,872]; Acc. No. 1011179
(W.D. Ky. July 20, 1988) 812
White Plains v. Universal Motor Lodges [43,852]; Acc. No. 1011145 803
Whitehead v. Turnage [43,805]; Acc. No. 1011160
701 F. Supp. 795 (W.D. Wash. 1988) 801
Whites v. Hahn
699 F. Supp. 206 (E.D. Mo. 1988) 1327
Whitfield v. Democratic Party of Ark.
686 F. Supp. 1365 (E.D. Ark. 1988) 693
Whittington v. Bowen
700 F. Supp. 257 (E.D. Pa. 1988) 1453
Wigginton v. Kentucky *ex rel.* Caldwell
760 S.W.2d 885 (Ky. Ct. App. 1988) 1446
Wilcox v. Ives [40,813]; Acc. No. 1011371
(1st Cir. Dec. 20, 1988) 1312
Wiley v. Cutler [44,066]; Acc. No. 1011293
(Mont. Dist. Ct., Ravalli County, Apr. 27, 1988) 1160
Willbanks v. Secretary of HHS [43,151]; Acc. No. 1010815
847 F.2d 301 (6th Cir. 1988) 287
Willey v. Ives [39,830]; Acc. No. 1011279
696 F. Supp. 1388 (D. Me. 1988) 1147
Williams, *Ex parte*
738 S.W.2d 257 (Tex. Ct. App. 1987) 92
Williams v. Armontrout
852 F.2d 377 (8th Cir. 1988) 699
Williams v. Bowen
859 F.2d 255 (2d Cir. 1988) 1198
Williams v. Bowen [43,534]; Acc. No. 1010850
684 F. Supp. 1305 (E.D. Pa. 1988) 390
Williams v. Bowen
689 F. Supp. 825 (N.D. Ill. 1988) 701
Williams v. Bowen [43,760]; Acc. No. 1011063
(M.D. Ga. May 10, 1988) 816
Williams v. Bowen
701 F. Supp. 160 (N.D. Ill. 1988) 1453
Williams v. Butz [19,468]
843 F.2d 1335 (11th Cir. 1988) 303
Williams v. Department of Human Servs.
550 A.2d 505 (N.J. Super. Ct. App. Div. 1988) 1455
Williams v. Florida Dep't of Health & Rehabilitative Servs.
522 So. 2d 951 (Fla. Ct. App. 1988) 424
Williams v. Illinois State Bd. of Elections
696 F. Supp. 1559 (N.D. Ill. 1988);
696 F. Supp. 1561 (N.D. Ill. 1988);
696 F. Supp. 1563 (N.D. Ill. 1988);
696 F. Supp. 1574 (N.D. Ill. 1988) ... 1188, 1189, 1192
Williams v. Iowa
421 N.W.2d 890 (Iowa 1988) 420
Williams v. Lane
851 F.2d 867 (7th Cir. 1988) 699
Williams v. Paradise Management [43,601]; Acc. No. 1010911
370 S.E.2d 45 (Ga. Ct. App. 1988) 517

Williams v. Patterson [42,536]; Acc. Nos. 1011357, 1011500
(E.D. Ark. Oct. 18, 1988);
(E.D. Ark. Feb. 9, 1989) 1144, 1425
Williams v. Williams
372 S.E.2d 310 (N.C. Ct. App. 1988) 1191
Williams v. Wilzack [43,478]; Acc. No. 1010819 285
Willis v. Bowen [43,693]; Acc. No. 1010989 682
Wilson v. Bowen
691 F. Supp. 1257 (D. Ariz. 1988) 841
Wilson v. Idaho
746 P.2d 1022 (Idaho Ct. App. 1987) 91
Wilson v. Lyng [42,141]; Acc. Nos. 1010838, 1011154
856 F.2d 630 (4th Cir. 1988) 397, 788
Winans v. Bowen
853 F.2d 643 (9th Cir. 1988) 700
Winslow v. Winslow
530 N.E.2d 361 (Mass. App. Ct. 1988) 1325
Winsness, *In re* [43,591]; Acc. No. 1010902
(Utah Dep't of Social Servs., Office of Admin. Hearings, June 29, 1988) 522
Wisconsin v. Big John
432 N.W.2d 576 (Wis. 1988) 1330
Wise v. Iowa Dep't of Human Servs.
424 N.W.2d 432 (Iowa 1988) 545
Wise v. Pea Ridge School Dist. No. 109
675 F. Supp. 1524 (W.D. Ark. 1987) 86
Wiser v. Division of Family Servs.
754 S.W.2d 35 (Mo. Ct. App. 1988) 1195
Wong v. Bowen
854 F.2d 630 (2d Cir. 1988) 831
Wood v. Board of County Comm'rs of Fremont County [43,839]; Acc. No. 1011136
759 P.2d 1250 (Wyo. 1988) 793
Wood v. Lee [43,555]; Acc. Nos. 1010864, 1011378
(W.D. Tenn. Nov. 7, 1988) 405, 1308
Wood v. Sunn
852 F.2d 1205 (9th Cir. 1988) 699
Woodall v. Bartolino [40,186]
700 F. Supp. 221 (D.N.J. 1988) 1451
Woodard v. Mayor & City Council of Lumber City
676 F. Supp. 255 (S.D. Ga. 1987) 87
Woods v. White
689 F. Supp. 874 (W.D. Wis. 1988) 699
Woodson v. AMF Leisureland Centers, Inc.
842 F.2d 699 (3d Cir. 1988) 298
Woody v. Secretary of HHS [44,144]; Acc. No. 1011362
859 F.2d 1156 (3d Cir. 1988) 1168
Worker Compensation v. Forrester
857 F.2d 1121 (6th Cir. 1988) 1195
Worley v. Worley
534 So. 2d 862 (Fla. Dist. Ct. App. 1988) 1445
Wright v. Housing Auth. of Providence [43,359]; Acc. No. 1010696 174
Wynn v. Bowen [43,257]; Acc. Nos. 1010607, 1011041
(M.D. Fla. Apr. 8, 1987);
(M.D. Fla. July 25, 1988) 75, 657
Wyoming v. Cochran
764 P.2d 1037 (Wyo. 1988) 1449

—X—

X. v. Commissioner of Health & Env't of Tenn. [43,711]; Acc. No. 1011055
(M.D. Tenn. Aug. 22, 1988) 667

—Y—

Yang v. Bowen [43,694]; Acc. No. 1010993
(E.D. Cal. July 25, 1988) 681
Yanushko v. Pennsylvania Dep't of Pub. Welfare
543 A.2d 1277 (Pa. Commw. Ct. 1988) 702
Yates v. Goldome Credit Corp. [44,186]; Acc. No. 1011406
(N.C. Super. Ct., Forsyth County, Nov. 14, 1988) 1291
York v. Pennsylvania Unemployment Compensation Bd. of Review [43,717]; Acc. No. 1011025
(Pa. Commw. Ct. Aug. 8, 1988) 685
Young v. Bowen
858 F.2d 951 (4th Cir. 1988) 1198
Young v. Cutter Biological
694 F. Supp. 651 (D. Ariz. 1988) 839
Young v. Pierce [41,451]; Acc. No. 1010612
685 F. Supp. 975 (E.D. Tex. 1988) 65
Young v. Riley [43,485]; Acc. No. 1010834
522 So. 2d 988 (Fla. Dist. Ct. App. 1988) 410
Young v. Rubin [43,879]; Acc. No. 1011197
(Haw. Sup. Ct. Aug. 22, 1988) 825
Youngblood v. Board of Pub. Instruction of Bay County [43,782]; Acc. No. 1011086
(N.D. Fla. Aug. 15, 1988) 786
Younger v. Turnage
677 F. Supp. 16 (D.D.C. 1988) 94
Younghee Na Huck v. Attorney Gen.
676 F. Supp. 10 (D.D.C. 1987) 90
Ysasi v. Rivkind [39,827]; Acc. No. 1011089
856 F.2d 1520 (Fed. Cir. 1988) 804
Yuckert v. Bowen [41,780]
841 F.2d 303 (9th Cir. 1988) 196
YWCA of Canton, Inc. v. Hager [43,650]; Acc. No. 1010960
(Canton, Ohio, Mun. Ct. Apr. 22, 1988) 518

—Z—

Z., *In re* [44,136]; Acc. No. 1011352 1158
Zachery v. Bowen [43,853]; Acc. No. 1011152
(SSA, Office of Hearings & App., June 15, 1988) ... 820
Zaire v. Dalsheim
698 F. Supp. 57 (S.D.N.Y. 1988) 1331

Zambrano v. INS [43,351]; Acc. Nos. 1010692, 1010966
(E.D. Cal. Aug. 9, 1988) 174, 517
Zebley v. Bowen [43,127]; Acc. No. 1010983
855 F.2d 67 (3d Cir. 1988) 679
Zeigler v. Kirschner [43,398]; Acc. No. 1010740 171
Zulauf v. Florida Unemployment Appeals Comm'n
533 So. 2d 891 (Fla. Dist. Ct. App. 1988) 1454